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1912 ad

OHIO CONSTITUTIONAL CONVENTION

1912

Miscellaneous collections of proposals,
reports, etc.

12DIG - N.M.R.

9342.7712
OF 3
1912 ad

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FOURTH CONSTITUTIONAL
CONVENTION.

}

Sub. Proposal No. 2

MR. CROSSER.

PROPOSAL

To provide for the initiative and referendum and the legislative power.

Resolved, by the constitutional convention of the state of Ohio, That article

2 II shall be as follows :

3 ARTICLE II.

4 SECTION I. The legislative power of this state shall be vested in a General
5 Assembly consisting of a Senate and House of Representatives but the people
6 reserve to themselves the power to propose laws and amendments to the constitu-
7 tion, and to adopt or reject the same at the polls independent of the General As-
8 sembly, and also reserve the power, at their own option, to adopt or reject any
9 law, item, section or part thereof, passed by the General Assembly.

10 SECTION I-A. INITIATIVE. The first aforestated power reserved by the
11 people is designated the initiative, and the signatures of not more than eight per
12 centum of the voters shall be required upon a petition to propose any law, and
13 of not more than twelve per centum upon a petition to propose an amendment to
14 the constitution.

15 When there shall have been presented to the Secretary of State a petition
16 signed by the aforesaid required number of voters and verified as herein pro-
17 vided, proposing a law or an amendment to the constitution the full text of which
18 proposed law or amendment to the constitution shall have been set forth in such
19 petition, the Secretary of State, shall submit for the approval or rejection of the
20 voters the proposed law or amendment to the constitution in the manner herein-
21 after provided, at the next succeeding regular or general election in any year oc-
22 curring subsequent to ninety days after presentation of such petition. All such in-
23 itiative petitions, last above described, shall have printed across the top thereof, in
24 the case of proposed laws, the following: "Law proposed by initiative petition
25 to be submitted directly to the Voters." Or, in case of proposed amendment to
26 the constitution; "Amendment to the constitution proposed by Initiative petition
27 to be submitted directly to the Voters."

28 SECTION I-AA. When at any time, not less than ten days prior to the com-
29 mencement of any session of the General Assembly, there shall have been pre-
30 sented to the Secretary of State a petition signed by four per centum of the
31 voters and verified as herein provided, proposing a law or amendment to the con-
32 stitution the full text of which shall have been set forth in such petition, the
33 Secretary of State shall transmit the same to the General Assembly as soon as it
34 convenes. The proposed law or proposed amendment to the constitution shall
35 be either approved or rejected without change or amendment by the General As-
36 sembly, within sixty days from the time it is received by the General Assembly.
37 If any such law proposed by petition shall be approved by the General Assembly
38 it shall be subject to the referendum as herein provided. If any such amendment
39 to the constitution proposed by petition shall be approved by the General As-
40 sembly it shall be submitted to the voters. If any law or constitutional amend-

41 ment so petitioned for be rejected, or if no action be taken thereon by the General
42 Assembly within such sixty days, the Secretary of State shall submit the same to
43 the people for approval or rejection at the next regular or general election in any
44 year. The General Assembly may decline or refuse to pass any such proposed
45 law or constitutional amendment and adopt a different and competing one on the
46 same subject, and in such event both the proposed and competing law or both the
47 proposed and competing constitutional amendment shall be submitted by the Sec-
48 retary of State to the voters for approval or rejection at the next regular or
49 general election in any year.

50 All such initiative petitions, last above described, shall have printed across
51 the top thereof in the case of proposed laws, the following: "Law Proposed by
52 Initiative Petition to be First Submitted to the General Assembly," or in case of
53 proposed amendments to the constitution, "Amendment to the Constitution Pro-
54 posed by Initiative Petition to be first Submitted to the General Assembly."

55 Ballots shall be so printed as to permit an affirmative or negative vote upon
56 each measure submitted to the voters.

57 Any proposed law or amendment to the Constitution submitted to the voters
58 as provided in Section 1-A and Section 1-AA, shall go into effect when approved
59 by a majority of those voting upon the same, and shall be published in the same
60 manner as acts of the General Assembly.

61 If conflicting proposed laws or conflicting proposed amendments to constitu-
62 tion shall be approved at the same election by a majority of the total number of
63 votes cast for and against the same, the one receiving the highest number of af-
64 firmative votes shall be the law or in the case of amendments to the constitution
65 shall be the amendment to the constitution. No law proposed by initiative petition
66 and approved by the voters shall be subject to the veto power of the Governor.

67 SECTION 1-b. REFERENDUM. The second aforestated power reserved by
68 the people is designated the referendum, and the signatures of not more than six
69 per centum of the voters shall be required upon a petition to order the submission
70 to the voters of the state for their approval or rejection of any law, or any item,
71 section or part of any law passed by the General Assembly.

72 No law passed by the General Assembly shall go into effect until ninety
73 days after the final adjournment of the session of the General Assembly which
74 passed the same, except as herein provided.

75 When a petition, signed by six per centum of the voters of the state and
76 verified as herein provided, shall have been presented to the Secretary of State
77 within ninety days after the final adjournment of the session of the General As-
78 sembly which passed the law, ordering that any law or any item, section or part
79 of any law, be submitted to the voters of the state for their approval or rejection,
80 the Secretary of State shall submit to the voters of the state for the approval or
81 rejection, such law, or any item, section or part of any such law, in the manner
82 herein provided, at the next succeeding regular or general election in any year oc-
83 ccurring at a time subsequent to thirty days after the filing of such petition, and
84 no such law or any item, section or part of any such law, shall go into effect until
85 and unless approved by a majority of those voting upon the same. If, however, a
86 referendum petition is filed against any item, section or part of any law, the
87 remainder shall not thereby be prevented or delayed from going into effect.

88 SECTION 1-c. EMERGENCY MEASURES. Acts providing for tax levies, ap-
89 propriations for the current expenses of the state and other emergency measures
90 necessary for the immediate preservation of the public peace, health or safety,
91 if the same upon a yea and nay vote shall receive the vote of three-fourths of all
92 the members elected to each branch of the General Assembly, shall go into im-

93 mediate effect, but the facts constituting such necessity shall be set forth in one
94 section of the act, which section shall be passed only upon a ye and nay vote,
95 upon a separate roll-call thereon.

96 A Referendum petition may be filed upon any such emergency law in the
97 same manner as upon other laws, but such law shall nevertheless remain in effect
98 until the same shall have been voted upon, and if it shall then be rejected by a
99 majority of those voting upon such law, it shall thereafter cease to be law.

100 SECTION I-D. LOCAL INITIATIVE AND REFERENDUM. The initiative and
101 referendum powers of the people are hereby further reserved to the voters of
102 each city, village, county, township, school districts or other political subdivisions
103 of the state to be exercised in the manner to be provided by law.

104 SECTION I-E. GENERAL PROVISIONS. Any initiative or referendum petition
105 may be presented in separate parts but each part shall contain a full and correct
106 copy of the title, and text of the law, or the proposed law or proposed amendment
107 to the constitution. Each signer of any initiative or referendum petition shall
108 also place thereon after his name, his place of residence. Each part of such
109 petition shall have attached thereto the affidavit of the person soliciting the signa-
110 tures to the same, stating that each of the signatures attached to such part was
111 made in his presence, and that to the best of his knowledge and belief each signa-
112 ture to such part is the genuine signature of the person whose name it purports
113 to be, and no other affidavit thereto shall be required. The affidavit of any
114 person soliciting signatures in accordance with the provisions hereof shall be
115 verified free of charge by any officer authorized to administer oaths.

116 The petition and signatures upon such petitions, so verified, shall be pre-
117 sumed to be in all respects sufficient, unless not later than fifteen days before elec-

tion, it shall be otherwise proven and in such event ten days shall be allowed for the filing of additional signatures to such petition, and no law or amendment to the constitution submitted to the voters by initiative petition and receiving an affirmative majority of the votes cast thereon shall ever be held unconstitutional or void on account of the insufficiency of the petitions by which such submission of the same shall have been procured; nor shall the rejection of any law submitted by referendum petition be held invalid for such insufficiency.

One-half of the total number of counties of the state shall each be required to furnish the signatures of voters equal in number to one-half of the designated percentage of the voters of such county, upon all initiative or referendum petitions provided for in any of the sections of this article.

A true copy of all laws or proposed laws or proposed amendments to the constitution, together with an argument or explanation, or both, for, and also an argument or explanation, or both, against the same, shall be prepared. The person or persons who prepare the argument or explanation, or both, against any law submitted to the voters by referendum petition may be named in such petition and the arguments or explanations, or both, for any proposed law or proposed amendment to the constitution may be named in the petition proposing the same; the person or persons who prepare the argument or explanation, or both, for the law submitted to the voters by referendum petition, or for any competing law or competing amendment to the constitution or against any law submitted by initiative petition, shall be named by the General Assembly if in session and if not in session then by the Governor.

The Secretary of State shall have printed the law or proposed law or proposed amendment to the constitution together with the arguments and explanations not exceeding a total of three hundred words for each of the same, and also

144 the arguments and explanations not exceeding a total of three hundred words
145 against each of the same, and shall mail or otherwise distribute a copy of such
146 law or proposed law or proposed amendment to the constitution together with
147 such arguments and explanations for and against the same to each of the voters
148 of the state, as far as reasonably possible. The Secretary of State shall cause to
149 be placed upon the official ballots the title of any such law or proposed law or
150 proposed amendment to the constitution to be submitted, and shall cause the
151 ballots to be so printed as to permit an affirmative or negative vote upon each
152 law or proposed law or proposed amendment to the constitution.

153 The style of all laws shall be "Be It Enacted by the People of the State of
154 Ohio," and of all constitutional amendments, "Be it Resolved by the People of the
155 State of Ohio."

156 The foregoing sections of this article shall be self executing, but legislation
157 may be enacted to facilitate their operation, but in no way limiting or restricting
158 either their provisions or the power therein.

Ordered printed, as it will appear if the minority report of the committee on Liquor Traffic is adopted.



FOURTH CONSTITUTIONAL }
CONVENTION.

Proposal No. 4

MR. KING.

PROPOSAL

To submit substitute for schedule, Section 18 of the constitution.—Relating to licensing the traffic in intoxicating liquors.

Resolved, by the Constitutional Convention of the State of Ohio, That a
2 proposal shall be submitted to the electors to amend the constitution by sub-
3 stituting for Section 18 of the schedule the following:

4 SECTION 1. At the time when the vote of the electors shall be taken for the
5 adoption or rejection of any revision, alterations, or amendments made to the
6 constitution by this convention, the following articles, independently of the sub-
7 mission of any revision, alterations or other amendments submitted to them, shall
8 be separately submitted to the electors in the alternative in the words following,
9 to-wit:

10 *The General Assembly, shall be authorized to enact legislation providing for*
11 *the licensing of the liquor traffic, but no such legislation shall authorize more*

12 *than one license in each township, or municipality of less than 1,000 population,*
 13 *nor more than one for each 1,000 population in other townships and municipali-*
 14 *ties; provided, however, that any license so granted shall be deemed revoked if*
 15 *in the place operated under such license any law regulating such traffic in intoxi-*
 16 *cating liquors is violated.*

17 *And provided further, that nothing herein contained shall invalidate, limit*
 18 *or restrict the provisions of any law now in force, relating to such traffic, or in*
 19 *any way limit the right of the General Assembly, under its police power, to*
 20 *provide against the evils resulting from the traffic in intoxicating liquors.*

21 SECTION 2. At said election, a separate ballot shall be in the following
 22 form:

23 INTOXICATING LIQUORS.

	For License.
	Against License.

24 SECTION 3. Separate ballot boxes shall be provided for the reception of said
 25 ballots.

26 SECTION 4. The voter shall indicate his choice by placing a cross-mark
 27 within the blank space opposite the words "For License" if he desires to vote in
 28 favor of license. And opposite the words "Against License" within the blank
 29 space, if he desires to vote against license, and in favor of allowing Section 9,
 30 Article XV of the present constitution to remain unchanged. If a cross-mark is
 31 placed opposite both phrases or neither phrase, then the vote upon that subject
 32 shall not be counted.

33 SECTION 5. If the votes for license shall exceed the votes against license,
 34 then the article * * * above mentioned shall become a part of Article XV of the

35 constitution, regardless of whether any revision, alterations, or other amendments
36 submitted to the people shall be adopted or rejected. And if the votes against
37 license shall exceed those for license, *then Section 9, Article XV of the present*
38 *constitution shall remain unchanged.*

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FOURTH CONSTITUTIONAL
CONVENTION.

Sub. Proposal No. 16

MR. ELSON.

PROPOSAL

To submit an amendment to Sections 1-4, Article 3, of the constitution.—Relative to the election of state officials.

Resolved, That a proposal to amend the Constitution shall be submitted to

2 the electors to read as follows:

3 SECTION 1. (Executive department.) The executive department shall con-
4 sist of a governor, lieutenant governor, secretary of state, auditor of state,
5 treasurer of state, and an attorney general. The governor, lieutenant governor,
6 and auditor of state shall be elected on the first Tuesday after the first Mon-
7 day in November, by the electors of the state, and at the places of voting for
8 members of the general assembly.

9 SECTION 2. (Term of office.) The governor and lieutenant governor shall
10 hold their offices for two years, and the auditor for four years. Their terms
11 of office shall commence on the second Monday of January next after their
12 election, and continue until their successors are elected and qualified.

13 SECTION 5. (Executive powers vested in governor.) The supreme execu-
14 tive power of this state shall be vested in the governor. He shall appoint the

15 secretary of state, treasurer of state. attorney general, members of the board
16 of public works, dairy and food commissioner, and commissioner of common
17 schools, and shall have authority to remove any of said officials so appointed.

Am. Proposal No. 17

PROPOSAL

Resolved, by the Constitutional Convention of the state of Ohio, That a pro-

2 posal to amend the constitution shall be submitted to the electors to read as

3 follows:

5 SECTION 2. County officers shall be elected on the first Tuesday after the
6 first Monday in November, by the electors of each county in such manner as
7 may be provided by law.

8 SECTION 3. *No person shall be eligible for re-election for any county office*
9 *to succeed himself. The term of such officer shall be four years. The several*
10 *terms of such officers, except treasurer, shall commence on the first Monday*
11 *of January next following their election.*



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FOURTH CONSTITUTIONAL
CONVENTION.

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Sub. Proposal No. 64

MR. MILLER, of Fairfield.

PROPOSAL

Relative to the Conservation of our Natural Resources.

Resolved, by the Constitutional Convention of the State of Ohio, That a

2 proposal to amend the Constitution shall be submitted to the electors to read as
3 follows :

4 The General Assembly, may in order to encourage the propagation, planting
5 and cultivation of forestry, pass laws exempting from taxation, in whole or in
6 part, wood lots or plantations devoted exclusively to forestry or to the growing
7 of forest trees.

8 The General Assembly may also provide for re-forestation and holding as
9 forest reserves such lands or part of lands as has been or may be forfeited to the
10 state and they may authorize the acquiring of other lands for that purpose.



FOURTH CONSTITUTIONAL
CONVENTION. }

Sub. Proposal No. 134

MR. HALENKAMP.

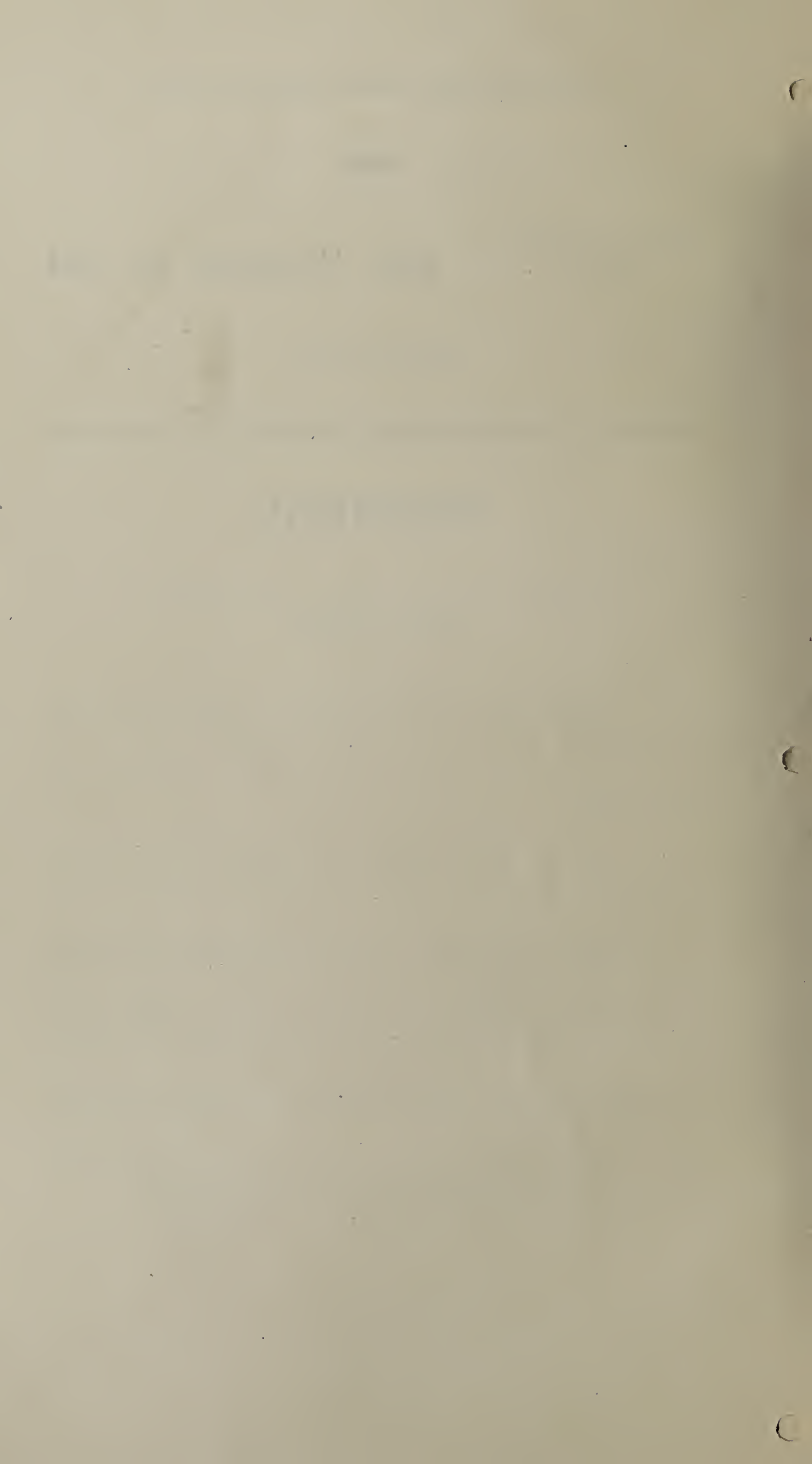
PROPOSAL

To submit an amendment to Article I, of the constitution.—
Relative to injunctions.

Resolved, by the Constitutional Convention of the State of Ohio, That a

2 proposal to amend the Constitution shall be submitted to the electors to read
3 as follows:

4 Laws may be passed prescribing rules and regulations, for the conduct of
5 cases and business in the supreme court and other courts of the state, and for
6 the regulation of proceedings in contempt, and the limitation of the power to
7 punish persons adjudged guilty of contempt, and any person charged with con-
8 tempt, not committed in the presence of the court, shall, upon demand, be
9 granted a trial by jury. Orders of injunction or other orders of a like character
10 or similar effect shall not be made or issued in any case involving the employ-
11 ment of labor or in any controversy between employer and employee.





FOURTH CONSTITUTIONAL }
CONVENTION. }

Proposal No. 170

MR. WORTHINGTON.

PROPOSAL

To submit an amendment to Article XII, Sections 1, 2, 3 and 4, of the constitution, and to renumber present Sections 5 and 6 as Sections 6 and 7, respectively — Relative to taxation.

Resolved, by the Constitutional Convention of the State of Ohio, That a
2 proposal to amend the Constitution shall be submitted to the electors to read
3 as follows:

4 SECTION 1. *The levying of taxes by the poll is grievous and oppressive;*
5 *therefore no poll tax shall ever be levied in this state, nor service required*
6 *therein, which may be commuted in money or other thing of value.*

7 SECTION 2. The general assembly shall provide for raising revenue for
8 each year sufficient to pay the expenses of the state, * * * the interest on
9 the state debt, *the state common school fund of not less than two dollars per*
10 *capita of the school enumeration and the university fund of not less than seven*
11 *hundred and fifty thousand dollars to be distributed between the state supported*
12 *universities as may be provided by law, by excise taxes on successions or inherit-*
13 *ances or incomes or on the business and franchises of corporations, and also by*

14 assessment upon the counties of the state, or so many of the sources of revenue
15 aforsaid as the general assembly may deem best.

16 SECTION 3. Every assessment upon the counties of the state under the
17 preceding section, shall be apportioned among such counties ratably in propor-
18 tion to the aggregate amount expended during the preceding year in each county,
19 by the county and all political subdivisions thereof.

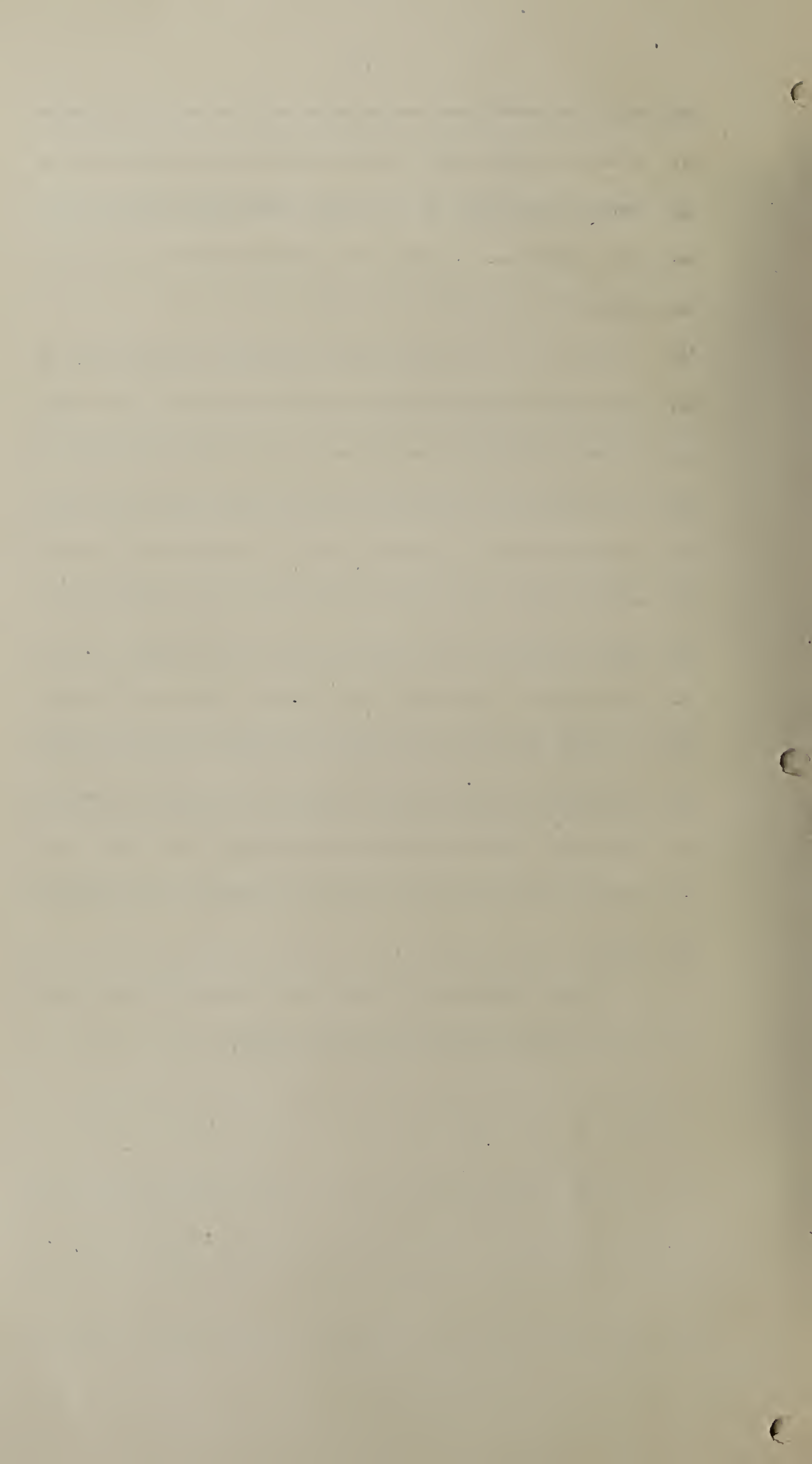
20 SECTION 4. Laws shall be passed applicable to all counties which may elect
21 to be governed thereby, pursuant to section six hereof, providing that the revenue
22 necessary for all purposes of such counties, and all taxing districts therein, shall
23 be raised by taxes levied on the property therein described, which property may
24 be classified; and if it be classified the taxation shall be uniform on all prop-
25 erty belonging to the same class, though the rate imposed upon property of
26 one class may differ from that imposed upon property of another class; pro-
27 vided, that bonds of the State of Ohio and of any city, village, hamlet, county,
28 township or board of education therein, shall be exempt from taxation.

29 SECTION 5. Laws shall also be passed, applicable to all counties which may
30 not elect to be governed by the laws to be passed under section *four* hereof,
31 providing for raising the revenues necessary for such counties and all taxing
32 districts therein by taxing under a uniform rule all moneys, credits, investments
33 in bonds, stocks, joint stock companies, or otherwise, and also all real and per-
34 sonal property therein, according to its true value in money, excepting bonds
35 of the State of Ohio, bonds of any city, village, hamlet, county, or township in
36 this state, and bonds issued in behalf of the public schools of Ohio, and the
37 means of instruction in connection therewith, which bonds shall be exempt from
38 taxation; but burying grounds, public schoolhouses, houses used exclusively for
39 public worship, institutions of purely public charity, public property used exclu-

40 sively for any public purpose, and personal property to an amount not exceeding
41 in value two hundred dollars, for each individual, may, by general laws, be
42 exempted from taxation; but all such laws shall be subject to alteration or
43 *repeal*; and the value of all property, so exempted, shall, from time to time,
44 be ascertained and published as may be directed by law.

45 SECTION 6. At the general election in November, 1915, and every ten
46 years thereafter, the general assembly shall submit to the electors of each county
47 the question whether the revenues necessary for such county and all taxing dis-
48 tricts therein shall be raised under the laws then and thereafter passed under
49 section *four* hereof. If on any such submission the negative votes exceed the
50 affirmative votes in any county, the general assembly may re-submit such ques-
51 tion to the electors of such county at any other November election. If on any
52 such decennial or special submission the affirmative votes exceed the negative
53 votes in any county, such county and all taxing districts therein shall be gov-
54 erned by the laws passed pursuant to section *four* hereof, until on a decennial
55 submission the negative votes shall exceed the affirmative votes. But no such
56 change of system shall invalidate taxes theretofore assessed and levied pursuant
57 to law.

58 *Resolved*, That section 5 of said article be renumbered as section 6, and
59 that section 6 of said article be renumbered as section 7.





FOURTH CONSTITUTIONAL }
CONVENTION.

Proposal No. 170

PROPOSAL

MR. WORTHINGTON.

To submit an amendment to Article XII, Sections 2, 3 and 4, of the constitution, and to renumber present Sections 5 and 6 as Sections 6 and 7, respectively.—Relative to taxation.

Resolved, by the Constitutional Convention of the State of Ohio, That a
2 proposal to amend the Constitution shall be submitted to the electors to read
3 as follows:

4 SECTION 1. The general assembly shall never levy a poll tax.

5 SECTION 2. Property shall never be so classified as to permit taxes to be
6 levied at different rates for different classes, but all real and personal property,
7 tangible and intangible, shall be taxed by a uniform rule according to its true
8 value in money; but burying grounds, public schoolhouses, houses used exclu-
9 sively for public worship, institutions of purely public charity, public property
10 used exclusively for any public purpose, personal property to an amount not
11 exceeding two hundred dollars for each individual, and deductions of bona fide
12 debts from credits, may, by general laws, be exempted from taxation; but all

13 laws providing for such exemptions shall be subject to alteration or repeal.

14 SECTION 3. All property employed in banking, shall always bear a burden
15 of taxation equal to that imposed on the property of individuals.

16 SECTION 4. The general assembly shall provide for raising revenue, suf-
17 ficient to defray the expenses of the state, for each year, and also a sufficient
18 sum to pay the interest on the state debt.

19 SECTION 5. No tax shall be levied, except in pursuance of law; and every
20 law imposing a tax, shall state, distinctly, the object of the same, to which only,
21 it shall be applied.

22 SECTION 6. Except as otherwise provided in this constitution the state shall
23 never contract any debt for purposes of internal improvement.

24 SECTION 7. The maximum rate of taxes that may be levied for all purposes
25 shall not in any year exceed ten mills on each dollar of the total value of all
26 property, as listed and assessed for taxation, in any township, city, village, school
27 district, or other taxing district. Additional levies, not exceeding in any year
28 a maximum of five mills, for all purposes, on each dollar of the total value of
29 all the property therein, as listed and assessed for taxation, in any taxing dis-
30 trict, may be levied when such additional levies are authorized by a majority
31 vote of the electors voting thereon at an election held for such purpose; but
32 in no case shall the combined maximum rate of taxes for all purposes, levied
33 in any year in any township, city, village, school district, or other taxing dis-
34 trict, exceed fifteen mills on each dollar of the total value of all the property,
35 as listed and assessed for taxation, in such district. No county, city, village,
36 school district, township, or other taxing district, shall ever create or incur a net
37 indebtedness in excess of one per cent. for county purposes, four per cent. for
38 city or village purposes, one per cent, for school purposes and one per cent.

39 for township or other taxing district purposes, of the total value of all the
40 property, as listed and assessed for taxation in such county, city, village, school
41 district, township, or other taxing district. No indebtedness not payable out
42 of current receipts shall hereafter be created, incurred, refunded, renewed, or
43 extended, without at the same time a coincidental tax being levied, which shall
44 be maintained sufficient to pay principal and interest at maturity.

45 SECTION 8. Laws may be enacted providing for the taxation of the right
46 to receive or succeed to estates, and such tax may be uniform or it may be
47 so graduated as to tax at a higher rate the right to receive or to succeed to
48 estates of larger value than to estates of smaller value. A portion of each
49 estate not exceeding twenty thousand dollars in value may be exempted from
50 such tax.

51 SECTION 9. Laws may be enacted providing for the taxation of incomes,
52 which tax may be either uniform or graduated, and either general or confined
53 to income derived from investments not directly taxed in this state, but a part
54 of each income not exceeding three thousand dollars in any one year may be
55 exempt from such tax.

56 SECTION 10. Taxes may be imposed upon the production of coal, oil, gas
57 and other minerals.

58 SECTION 11. Revenues for the payment of the expenses of the state may
59 be provided by assessment upon the counties, but every such assessment shall
60 be apportioned among all the counties ratably in proportion to the aggregate
61 amount expended during the preceding year in each county by the county and
62 all political subdivisions thereof.



FOURTH CONSTITUTIONAL
CONVENTION.

} Sub. Proposal No. 170

MR. WORTHINGTON.

PROPOSAL

To submit an amendment to Article XII, Sections 1, 2 and 6,
of the constitution, and to add thereto sections to be
known as Sections 7 and 8.—Relative to taxation.

Resolved, by the Constitutional Convention of the State of Ohio, That a

2 proposal to amend the Constitution shall be submitted to the electors to read
3 as follows:

4 SECTION 1. The levying of taxes by the poll is greivous and oppressing;
5 therefore no poll tax shall ever be levied in this state, nor service required therein,
6 which may be commuted in money or other thing of value.

7 SECTION 2. Laws shall be passed, taxing by a uniform rule, all moneys,
8 credits, investments in bonds, stocks, joint stock companies, or otherwise; and
9 also all real and personal property according to its true value in money, except-
10 ing all bonds at present outstanding of the State of Ohio or of any city, village,
11 hamlet, county, or township in this state or which have been issued in behalf
12 of the public schools of Ohio and the means of instruction in connection there-
13 with, which bonds so at present outstanding shall be exempt from taxation; but

burying grounds, public school houses, houses used exclusively for public worship, institutions of purely public charity, public property used exclusively for any public purpose, and personal property, to an amount not exceeding in value two hundred dollars, for each individual, may by general laws, be exempted from taxation; but all such laws shall be subject to alteration or repeal; and the value of all property, so exempted, shall, from time to time, be ascertained and published as may be directed by law.

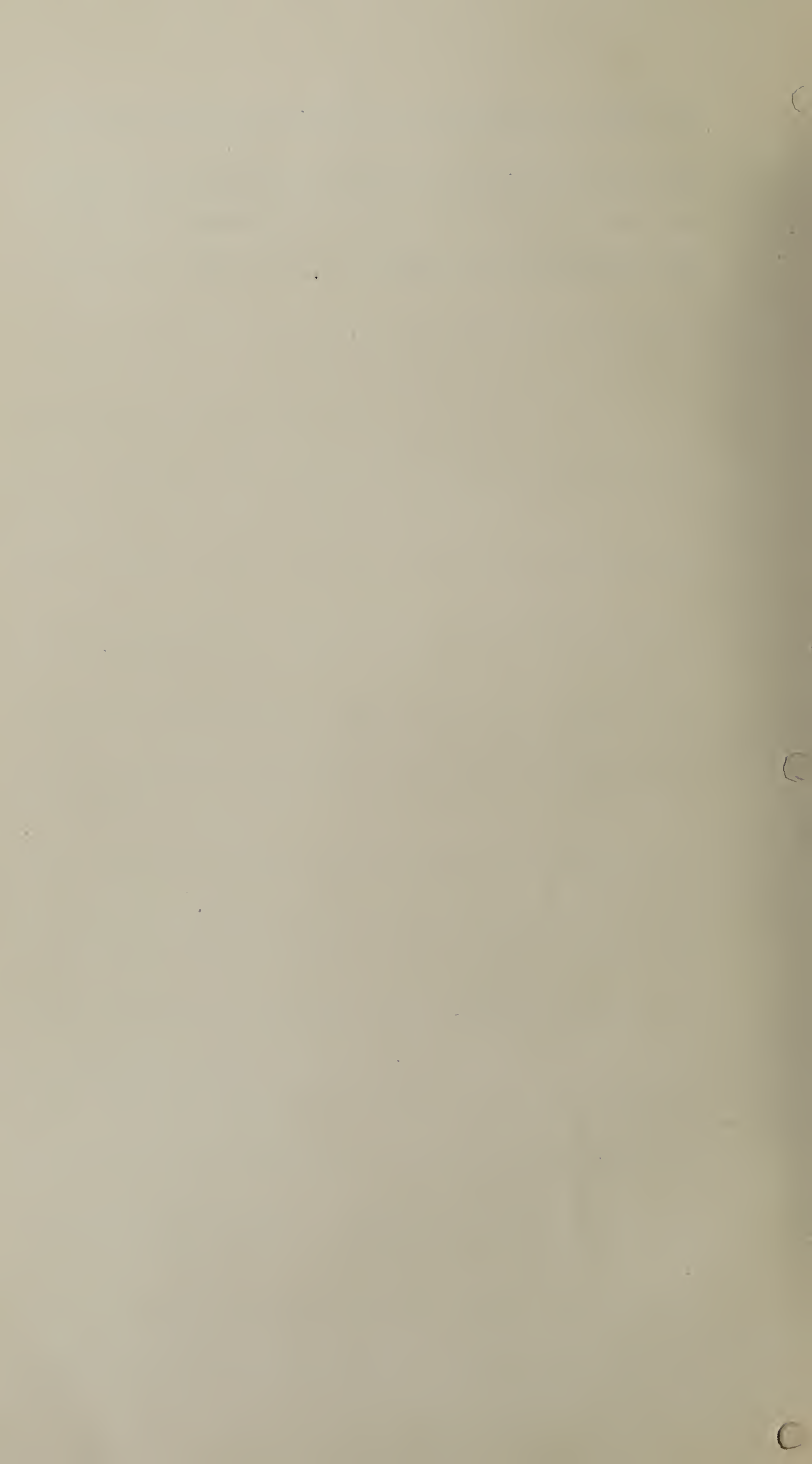
SECTION 6. Except as otherwise provided in this constitution the state shall never contract any debt for purposes of internal improvement.

SECTION 7. Laws may be enacted providing for the taxation of the right to receive or succeed to estates, and such tax may be uniform or it may be so graduated as to tax at a higher rate the right to receive or to succeed to estates of larger value than to estates of smaller value. A portion of each estate not exceeding twenty thousand dollars in value may be exempted from such tax.

SECTION 8. Laws may be enacted providing for the taxation of incomes, which tax may be either uniform or graduated, and either general or confined to income derived from investments not directly taxed in this state, but a part of each income not exceeding three thousand dollars in any one year may be exempt from such tax.

SECTION 9. The maximum rate of taxes that may be levied for all purposes shall not in any year exceed twelve mills on each dollar of the total value of all property, as listed and assessed for taxation in any taxing district wholly outside of municipalities and not to exceed fifteen mills, exclusive of sinking fund and interest charges, in any taxing district wholly or partially within municipalities. Additional levies, not exceeding in any year a maximum of five mills, for all

40 purposes, on each dollar of the total value of all the property therein, as listed
41 and assessed for taxation, in any taxing district, may be levied when such addi-
42 tional levies are authorized by a majority vote of the electors voting thereon at
43 an election held for such purpose.



ORDERED PRINTED, AS IT WOULD APPEAR IF THE AMENDMENT OFFERED BY MR. WORTHINGTON
SHOULD PREVAIL.



FOURTH CONSTITUTIONAL
CONVENTION. }

Am. Proposal No. 184

MR. PECK.

PROPOSAL

To submit an amendment to Article IV, Sections 1, 2, and
6, of the constitution.—Relating to the supreme and cir-
cuit courts.—Judicial.

Resolved, by the Constitutional Convention of the State of Ohio, That a
2 proposal to amend the constitution shall be submitted to the electors to read
3 as follows:

4 SECTION 1. The judicial power of the state is vested in a supreme court,
5 *appellate courts*, courts of common pleas, courts of probate, justices of the peace,
6 and such other courts inferior to the *appellate courts* as the General Assembly
7 may from time to time establish.

8 SECTION 2. The supreme court shall consist of a *chief justice* and six
9 judges, and the judges now in office in that court shall continue therein until
10 the end of the terms for which they were respectively elected, unless they are
11 removed, die or resign. A majority of the supreme court shall be necessary
12 to constitute a quorum or pronounce a decision. It shall have original juris-

13 diction in quo warranto, mandamus, habeas corpus, *prohibition and* procedendo,
 14 and appellate jurisdiction in all cases involving questions arising under the con-
 15 stitution of the United States or of this state, and in cases wherein the death
 16 penalty or imprisonment for life has been adjudged against any person by the
 17 courts below, also in cases which originated in the *appellate courts, and such*
 18 *revisory jurisdiction of the proceedings of administrative officers as may be con-*
 19 *ferred by law.* It shall hold at least one term in each year at the seat of gov-
 20 ernment, and such other terms, there or elsewhere, as may be provided by law.
 21 *The chief justice and the judges of the supreme court shall be elected by the*
 22 *electors of the state at large for such terms, not less than six years, * * **
 23 *and they shall be elected, and their official term shall begin, at such time as*
 24 *may now or hereafter be fixed by law. The supreme court may, within such*
 25 *limitation of time as may be prescribed by law, cause the record or records of*
 26 *any judgment or judgments rendered by the appellate courts in cases of public*
 27 *or general interest, or involving the construction of a statute, or where two or*
 28 *more appellate courts have rendered conflicting judgments upon the same or*
 29 *similar questions, to be certified to it, and may review, and affirm or modify said*
 30 *judgments or any of them, or reverse the same, and render final judgment or*
 31 *remand the cause for further proceedings.*

32 SECTION 6. The state shall be divided into * * * appellate districts
 33 of compact territory, and divided by county lines, in each of which there shall
 34 be an *appellate court* consisting of three judges. Until altered by statute the
 35 * * * circuits in which circuit courts are now held shall constitute the appel-
 36 late districts aforesaid, and the judges of the circuit courts therein shall consti-
 37 tute the respective *appellate courts*, and perform the duties thereof until the ex-
 38 piration of their respective terms of office; *vacancies occurring prior to such*

39 *expiration shall be filled by appointment of the governor for the unexpired term.*
40 *Their successors shall hold office for such term, not less than six years, as may*
41 *be prescribed by law. Vacancies caused by the expiration of the terms of office*
42 *of the judges of the appellate courts shall be filled by election by the electors*
43 *of the appellate districts, respectively, in which said vacancies shall arise. Laws*
44 *shall be passed prescribing the time and mode of such election, and the number*
45 *of districts or the boundaries thereof may be altered by law; but no such change*
46 *shall abridge the term of any judge then in office; and upon any such change*
47 *the judges of the appellate courts whose districts shall have been altered shall*
48 *be re-assigned to duty by the chief justice of the supreme court. The appellate*
49 *court shall hold one or more terms in each year at such places in the district*
50 *as the judges may determine upon, and the county commissioners of any county*
51 *in which the appellate court shall hold sessions shall make proper and convenient*
52 *provision for the holding of such courts by its judges and officers. Each judge*
53 *of an appellate court shall be competent to exercise his judicial powers in any*
54 *appellate district of the state; and provision shall be made by law for the rotation*
55 *of such judges throughout such districts.*

56 The respective *appellate court* shall continue the work of the circuit court,
57 and all pending cases and proceedings in the circuit court shall proceed to judg-
58 ment and be determined by the *appellate court*, subject to the provisions hereof,
59 and the existence of the circuit court shall be merged into and its work con-
60 tinued by the *appellate court*.

61 The *appellate courts* shall have original jurisdiction in quo warranto, man-
62 damus, habeas corpus, *prohibition* and procedendo, and appellate jurisdiction to
63 review, and affirm, modify, or reverse the judgments of the courts of common
64 pleas and *other courts of record* within the district, in all cases, and judgments

65 of said *appellate courts* shall be final in all cases, except as *otherwise provided in*
66 *Section 2 hercof. The appellate court may certify to the supreme court for*
67 *decision questions of law arising in any case upon which it desires the advice*
68 *of that court; and the supreme court may in such cases require the record of*
69 *the case in which the questions arise to be certified to it, and may render judg-*
70 *ment thereon.*

ORDERED PRINTED, AS IF WOULD APPEAR IF THE AMENDMENT OFFERED BY MR. TAGGART
SHOULD PREVAIL.



FOURTH CONSTITUTIONAL }
CONVENTION.

Am. Proposal No. 184

MR. PECK.

PROPOSAL

To submit an amendment to Article IV, Sections 1, 2, and
6, of the constitution.—Relating to the supreme and cir-
cuit courts.—Judicial.

Resolved, by the Constitutional Convention of the State of Ohio, That a

2 proposal to amend the constitution shall be submitted to the electors to read
3 as follows:

4 SECTION 1. The judicial power of the state is vested in a supreme court,
5 *appellate courts*, courts of common pleas, courts of probate, justices of the peace
6 and such other courts inferior to the *appellate court* as the General Assembly
7 may from time to time establish.

8 SECTION 2. The supreme court shall, *until otherwise provided by law*, con-
9 sist of a *Chief Justice* and six judges, and the judges now in office in that court
10 shall continue therein until the end of the terms for which they were respectively
11 elected, unless they are removed, die or resign. A majority of the supreme
12 court shall be necessary to constitute a quorum or pronounce a decision, *except*
13 *as hereinafter provided*. It shall have original jurisdiction in quo warranto,

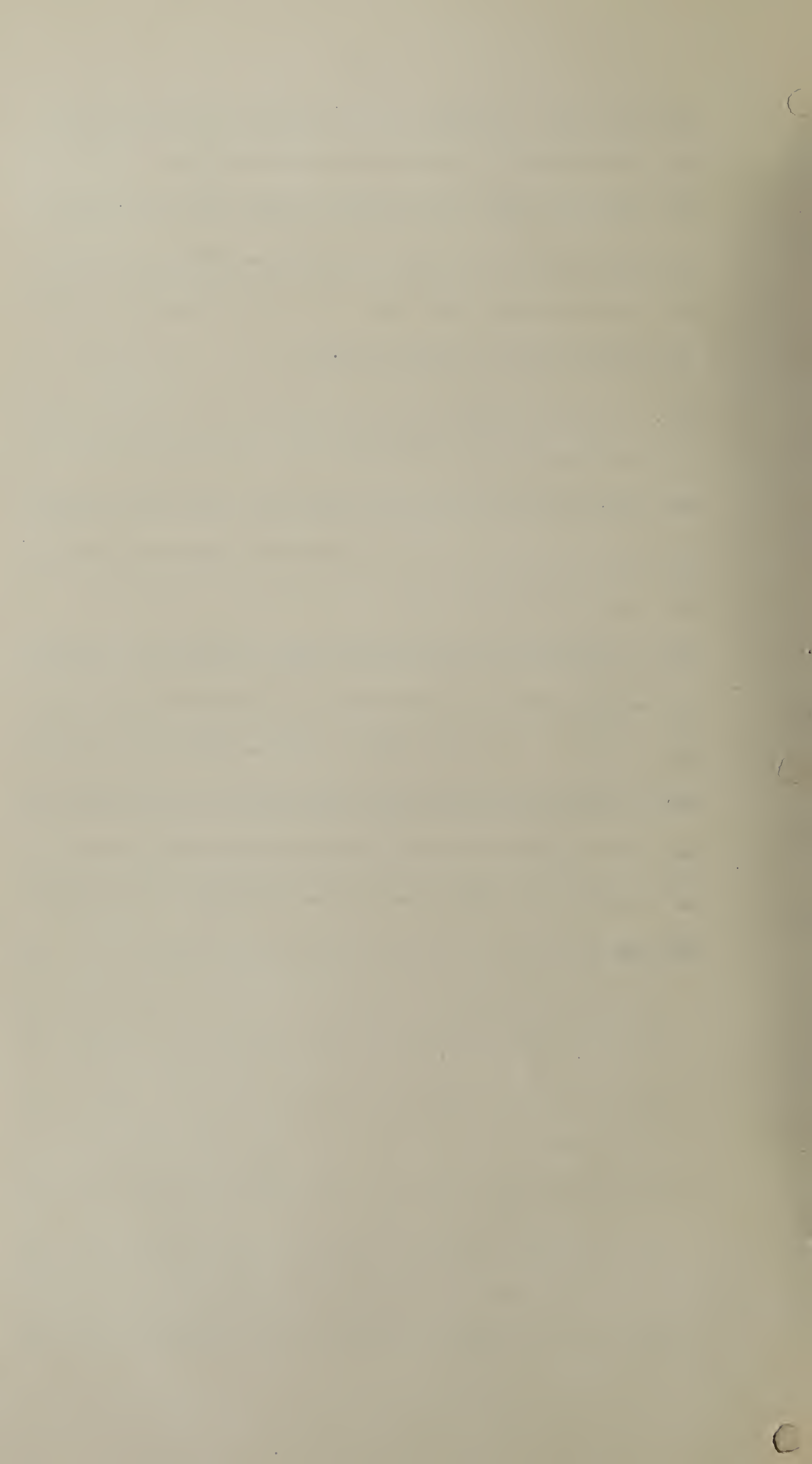
14 mandamus, habeas corpus, procedendo and appellate jurisdiction in all cases
 15 involving questions arising under the constitution of the United States or of
 16 this state and in cases wherein the death penalty, or imprisonment for life has
 17 been adjudged against any person by the courts below, also in cases which origi-
 18 nated in the *appellate courts and such other appellate jurisdiction as may be*
 19 *conferred by law.* It shall hold at least one term in each year at the seat of
 20 government and such other terms, there or elsewhere, as may be provided by
 21 law. *The Chief Justice and the judges of the supreme court shall be elected*
 22 *by the electors of the state at large for such terms, not less than six years, as*
 23 *the General Assembly may prescribe and they shall be elected and their official*
 24 *term shall begin at such time as may now or hereafter be fixed by law. * * * **
 25 No statute adopted by the General Assembly shall be held unconstitutional and
 26 void *by any proceedings in this Court* except by the concurrence of ~~five~~ of the
 27 judges of the supreme court.

28 SECTION 6. The state shall, *until otherwise provided by law,* be divided
 29 into *nine* appellate districts of compact territory and divided by county lines in
 30 each of which there shall be *an appellate court* consisting of three judges. * *
 31 * * The judges of the circuit courts *now residing in their respective districts*
 32 *shall continue to be judges of the respective appellate courts in such districts*
 33 *and perform the duties thereof until the expiration of their respective terms*
 34 *of office. * * * Vacancies caused by the expirations of the terms of office*
 35 *of the judges of the appellate courts shall be filled by the electors of the ap-*
 36 *pellate districts respectively in which such vacancies shall arise and the same*
 37 *number shall be elected in each district. The General Assembly shall prescribe*
 38 *the time and mode of such election and may alter the number of districts or*
 39 *the boundaries thereof, but no such change shall abridge the term of any judge*

40 *then in office.* The *appellate courts* shall hold one or more terms in each year
41 *in each county of the district,* as the judges may determine upon, and the county
42 commissioners of any county in which the *appellate courts* shall hold sessions
43 shall make proper and convenient provisions for the holding of such courts by
44 its judges and officers. Each judge * * * shall be competent to exercise
45 his judicial powers in any district of the state.

46 The respective *appellate courts* shall continue the work of the circuit court
47 and all pending cases and proceedings in the circuit courts shall proceed to
48 judgment and be determined by the *appellate court,* subject to the provisions
49 hereof, and the existence of the circuit court shall be merged into and its work
50 continued by the *appellate courts.*

51 The *appellate courts* shall have *like* original jurisdiction in quo warranto,
52 mandamus, habeas corpus and procedendo *and such other* appellate jurisdiction
53 to review, * * * affirm, modify, or reverse the judgments of the courts
54 of common pleas and superior courts within the district *as may be provided by*
55 *law.* No judgment of the court of common pleas and superior courts shall be
56 reversed except by the concurrence of *two* of the judges of the appellate
57 court * * *.



ORDERED PRINTED, AS IF WOULD APPEAR IF THE AMENDMENT OFFERED BY MR. TAGGART
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FOURTH CONSTITUTIONAL
CONVENTION. }

Am. Proposal No. 184

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Resolved, by the Constitutional Convention of the State of Ohio, That a

2 proposal to amend the constitution shall be submitted to the electors to read
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6 and such other courts inferior to the *appellate court* as the General Assembly
7 may from time to time establish.

8 SECTION 2. The supreme court shall, *until otherwise provided by law*, con-
9 sist of a *Chief Justice and* six judges, and the judges now in office in that court
10 shall continue therein until the end of the terms for which they were respectively
11 elected, unless they are removed, die or resign. A majority of the supreme
12 court shall be necessary to constitute a quorum or pronounce a decision, *except*
13 *as hereinafter provided*. It shall have original jurisdiction in quo warranto,

14 mandamus, habeas corpus, procedendo and appellate jurisdiction in all cases
 15 involving questions arising under the constitution of the United States or of
 16 this state and in cases wherein the death penalty, or imprisonment for life has
 17 been adjudged against any person by the courts below, also in cases which origi-
 18 nated in the *appellate courts and such other appellate jurisdiction as may be*
 19 *conferred by law.* It shall hold at least one term in each year at the seat of
 20 government and such other terms, there or elsewhere, as may be provided by
 21 law. *The Chief Justice and the judges of the supreme court shall be elected*
 22 *by the electors of the state at large for such terms, not less than six years, as*
 23 *the General Assembly may prescribe and they shall be elected and their official*
 24 *term shall begin at such time as may now or hereafter be fixed by law. * * * **
 25 No statute adopted by the General Assembly shall be held unconstitutional and
 26 void *by any proceedings in this Court* except by the concurrence of *five* of the
 27 judges of the supreme court.

28 SECTION 6. The state shall, *until otherwise provided by law,* be divided
 29 into *nine* appellate districts of compact territory and divided by county lines in
 30 each of which there shall be *an appellate court* consisting of three judges. * *
 31 * * The judges of the circuit courts *now residing in their respective districts*
 32 *shall continue to be judges of the respective appellate courts in such districts*
 33 and perform the duties thereof until the expiration of their respective terms
 34 of office. * * * *Vacancies caused by the expirations of the terms of office*
 35 *of the judges of the appellate courts shall be filled by the electors of the ap-*
 36 *pellate districts respectively in which such vacancies shall arise and the same*
 37 *number shall be elected in each district. The General Assembly shall prescribe*
 38 *the time and mode of such election and may alter the number of districts or*
 39 *the boundaries thereof, but no such change shall abridge the term of any judge*

40 *then in office.* The *appellate courts* shall hold one or more terms in each year
41 *in each county of the district,* as the judges may determine upon, and the county
42 commissioners of any county in which the *appellate courts* shall hold sessions
43 shall make proper and convenient provisions for the holding of such courts by
44 its judges and officers. Each judge * * * shall be competent to exercise
45 his judicial powers in any district of the state.

46 The respective *appellate courts* shall continue the work of the circuit court
47 and all pending cases and proceedings in the circuit courts shall proceed to
48 judgment and be determined by the *appellate court,* subject to the provisions
49 hereof, and the existence of the circuit court shall be merged into and its work
50 continued by the *appellate courts.*

51 The *appellate courts* shall have *like* original jurisdiction in quo warranto,
52 mandamus, habeas corpus and procedendo *and such other* appellate jurisdiction
53 to review, * * * affirm, modify, or reverse the judgments of the courts
54 of common pleas and superior courts within the district *as may be provided by*
55 *law.* No judgment of the court of common pleas and superior courts shall be
56 reversed except by the concurrence of *two* of the judges of the appellate
57 court * * *.



FOURTH CONSTITUTIONAL
CONVENTION. }

Am. Proposal No. 184

MR. PECK.

PROPOSAL

To submit an amendment to Article IV, Section 1, 2, and
6, of the constitution.—Relating to the supreme and cir-
cuit courts.—Judicial.

Resolved, by the Constitutional Convention of the State of Ohio, That a

2 proposal to amend the constitution shall be submitted to the electors to read
3 as follows:

4 SECTION 1. The judicial power of the state is vested in a supreme court,
5 courts of appeals, courts of common pleas, courts of probate, and such other
6 courts inferior to the courts of appeals as may from time to time be established
7 by law.

8 SECTION 2. The supreme court shall, until otherwise provided by law,
9 consist of six judges, and the judges now in office in that court shall continue
10 therein until the end of the terms for which they were respectively elected, unless
11 they are removed, die or resign. A majority of the supreme court shall be nec-
12 essary to constitute a quorum or pronounce a decision, except as hereinafter
13 provided. It shall have original jurisdiction in quo warranto, mandamus, habeas
14 corpus, prohibition, procedendo and appellate jurisdiction in all cases involving

15 questions arising under the constitution of the United States or of this state
16 and in cases of felony on leave first obtained, also in cases which originated in
17 the courts of appeals and such revisory jurisdiction of the proceedings of ad-
18 ministrative officers as may be conferred by law. It shall hold at least one
19 term in each year at the seat of government, and such other terms, there or
20 elsewhere, as may be provided by law. The judges of the supreme court shall
21 be elected by the electors of the state at large for such terms, not less than six
22 years, and they shall be elected, and their official term shall begin, at such time
23 as may now or hereafter be fixed by law.

24 Whenever the judges of the supreme court shall be equally divided in
25 opinion as to the merits of any case before them and are unable for that reason
26 to agree upon a judgment that fact shall be entered upon the record and such
27 entry shall be held to constitute an affirmance of the judgment of the court below.

28 No statute shall be held unconstitutional and void by any proceedings in
29 this court except by the concurrence of five of the judges of the supreme court.

30 In cases of public or great general interest the supreme court may, within
31 such limitation of time as may be prescribed by law, direct the court of appeals
32 to certify its record to the supreme court and may review and affirm, modify
33 or reverse the judgment of the court of appeals.

34 SECTION 6. The state shall, until otherwise provided by law, be divided
35 into appellate districts of compact territory and divided by county lines, in each
36 of which there shall be a court of appeals consisting of three judges. The judges
37 of the circuit courts now residing in their respective districts shall continue to
38 be judges of the respective courts of appeals in such districts and perform the
39 duties thereof until the expiration of their respective terms of office. Vacancies
40 caused by the expirations of the terms of office of the judges of the courts of

41 appeals shall be filled by the electors of the appellate districts respectively in
42 which such vacancies shall arise and the same number shall be elected in each
43 district. Laws may be enacted to prescribe the time and mode of such election
44 and to alter the number of districts or the boundaries thereof, but no such
45 change shall abridge the term of any judge then in office. The court of appeals
46 shall hold at least one term annually in each county and such other terms at a
47 county seat in the district, as the judges may determine upon, and the county
48 Commissioners of any county in which the court of appeals shall hold sessions
49 shall make proper and convenient provisions for the holding of such courts by
50 its judges and officers. Each judge shall be competent to exercise his judicial
51 powers in any district of the state.

52 The respective courts of appeals shall continue the work of the circuit
53 court and all pending cases and proceedings in the circuit courts shall pro-
54 ceed to judgment and be determined by the courts of appeals, subject to the
55 provisions hereof, and the existence of the circuit court shall be merged into
56 and its work continued by the courts of appeals.

57 The Courts of Appeals shall have original jurisdiction in quo warranto,
58 mandamus, habeas corpus, prohibition and procedendo and such other appellate
59 jurisdiction to review, affirm, modify, or reverse the judgments of the courts
60 of common pleas and superior courts within the district as may be provided
61 by law, and judgments of said courts of appeal shall be final in all cases,
62 except such as involve questions arising under the constitution of this state,
63 or the United States, or cases of felony, or cases of which it has original juris-
64 diction, or cases of public or great general interest in which the supreme court
65 may direct the court of appeals to certify its record to that court. No judg-
66 ment of the court of common pleas and superior courts shall be reversed ex-

cept by the concurrence of all the judges of the court of appeals on the weight of the evidence and by a majority of such court of appeals upon other questions and whenever the judges of a court of appeals find that a judgment upon which they have agreed is in conflict with a judgment pronounced upon the same question by any court of appeals of the state, the judges shall certify the record of the case to the supreme court for review and final determination.

The decisions in all cases in the supreme court and courts of appeals shall be reported, together with the reasons therefor.



FOURTH CONSTITUTIONAL
CONVENTION. }

Am. Proposal No. 227

MR. HARRIS. of Ashtabula.

PROPOSAL

To submit an amendment to Article XI, of the constitution.—

Relative to legislative apportionment.

Resolved, by the Constitutional Convention of the State of Ohio, That a

2 proposal to amend the Constitution shall be submitted to the electors to read

3 as follows:

4 SECTION 1. The apportionment for members of the general assembly shall

5 be made every ten years, prior to the first election for members of the general

6 assembly in each decennial period, in the manner herein provided.

7 SECTION 2. During the month of *March, 1913, also during the month of*

8 *March, 1921, and each decennial period thereafter,* the members of the senate

9 and house of representatives representing the two leading political parties, respec-

10 tively, shall meet in separate bodies, and each of said bodies shall designate

11 two electors *not members of the general assembly* who shall forthwith be ap-

12 pointed by the governor and said four electors so designated and appointed shall

13 constitute a commission who shall ascertain and determine the ratio of repre-

14 sentation for members of the house of representatives and senators, the num-
15 ber of representatives to which each county is entitled and the boundaries of
16 each senatorial district. Should any vacancy occur in said commission the sena-
17 tors of the party making the original designation shall, within ten days there-
18 after, designate an elector to fill such vacancy, and he shall forthwith be ap-
19 pointed by the governor.

20 SECTION 3. The population of the state, as ascertained by the preceding
21 federal census, * * * * shall be divided by the number "one hundred" and
22 the quotient shall be the ratio of representation in the house of representatives
23 for the *remainder of this decennial period and each decennial period thereafter*.

24 SECTION 4. Each county shall be entitled to at least one representative;
25 each county containing such ratio, and *one-half* over shall be entitled to two
26 representatives; each county containing *two and one-half* ratios shall be entitled
27 to three representatives, and so on.

28 SECTION 5. Each county entitled to more than one representative shall be
29 divided by such commission into as many districts as there are representatives
30 apportioned to such county; and one representative shall be chosen from each
31 district.

32 SECTION 6. Each representative district, in counties entitled to more than
33 one representative, shall be composed of compact territory, bounded by election
34 precinct lines, and as nearly equal in population as practicable; and each of
35 such districts shall be numbered.

36 SECTION 7. The ratio for a senator shall be ascertained by dividing the
37 population of the state by the number "thirty-five."

38 SECTION 8. The state shall be divided into senatorial districts, as herein
39 provided, and each district shall choose one senator.

40 SECTION 9. Each senatorial district shall be composed of compact terri-
41 tory, as nearly equal in population as practicable, and except as to districts in
42 counties entitled to two or more senators, shall be bounded by county lines.

43 SECTION 10. Each county having a population equal to * * * one
44 senatorial ratio shall constitute a senatorial district. Each county having a
45 population equal to one senatorial ratio, and one-half over, shall be divided into
46 two senatorial districts. Each county having a population equal to two and one-
47 half ratios shall be divided into three senatorial districts, and so on; but no
48 election precinct shall be divided in the formation of a senatorial district.

49 SECTION 11. The apportionment so made for members of the general as-
50 sembly shall be reported to the governor, by such commission, within two months
51 after their appointment, *and the general assembly shall provide by law for pub-*
52 *lishing said appointments and otherwise carrying into effect the foregoing pro-*
53 *visions of this article.*



FOURTH CONSTITUTIONAL
CONVENTION.



Am. Proposal No. 230

MR. TETLOW.

PROPOSAL

Relative to the end that the judicial interpretation of the
constitution will permit of the conservation of minerals.

Resolved, by the Constitutional Convention of the State of Ohio, That a

2 proposal to amend the Constitution shall be submitted to the electors to read
3 as follows:

4 The general assembly shall have full power to provide for the conservation
5 of all the natural resources of the state, and may provide for the regulation of
6 the mining, weighing, measuring and marketing of all minerals.



FOURTH CONSTITUTIONAL
CONVENTION. }

Sub. Proposal No. 240

MR. ANDERSON.

PROPOSAL

To submit an amendment to Article I, of the Constitution.—

In relation to damages for wrongful death.

Resolved, by the Constitutional Convention of the State of Ohio, That a

2 proposal to amend the constitution shall be submitted to the electors to read
3 as follows:

4 The right of action to recover damages for injuries resulting in death shall
5 not be abrogated and such damages shall not be subjected to any statutory limita-
6 tion as to amount, but the recovery must be for the full amount of all damages
7 so sustained.



FOURTH CONSTITUTIONAL
CONVENTION.

} **Am. Proposal No. 241**

MR. DWYER.

PROPOSAL

To submit an amendment to Article II, Section 23, of the
constitution.—Relating to impeachment of officials.

Resolved, by the Constitutional Convention of the State of Ohio, That a

2 proposal to amend the Constitution shall be submitted to the electors to read
3 as follows:

4 SECTION 23. The House of Representatives shall have the sole power of
5 impeachment of the governor, supreme court judges, and all state officers, for
6 any misconduct or misdemeanor in office, but a majority of the members elected
7 must concur therein. Such impeachments shall be tried by the Senate; and
8 the senators, when sitting for that purpose, shall be upon oath or affirmation
9 to do justice according to the law and the evidence. No person shall be con-
10 victed without the concurrence of two-thirds of the senators.

11 Impeachment proceedings of judges inferior in rank to the supreme court
12 for misdemeanor or misconduct in office, may be preferred in writing before
13 the supreme court by the attorney general of his own motion, or, on petition
14 to him for such purpose, by at least five attorneys or ten citizens of the county

- 15 or judicial circuit or district where said judge presides. Same shall be heard
- 16 and decided by the supreme court, the mode of procedure to be provided by law.



FOURTH CONSTITUTIONAL
CONVENTION.



Am. Proposal No. 261

MR. HALENKAMP.

PROPOSAL

To submit an amendment to Article XV, Section 11, of the
constitution. — Relative to state printing.

Resolved, by the Constitutional Convention of the State of Ohio, That a

2 proposal to amend the Constitution shall be submitted to the electors to read
3 as follows:

4 The printing of the laws, journals, bills, legislative documents and papers
5 for each branch of the General Assembly, with the printing required for the
6 executive and other departments of state, *shall* be let, on contract, to the low-
7 est responsible bidder *by the state supervisor of public printing, or may be done*
8 *direct by the state through the department of public printing, in such manner*
9 *as shall be prescribed by law.*

ORDERED PRINTED, AS REPORTED BY THE COMMITTEE ON JUDICIARY AND BILL OF RIGHTS.



FOURTH CONSTITUTIONAL
CONVENTION.

}

Sub. Proposal No. 330

MR. DWYER.

PROPOSAL

To submit an amendment to Article IV of the constitution.—

Relative to dividing the state into appellate court districts.

Resolved, by the Constitutional Convention of the State of Ohio, That a

2 proposal to amend the constitution shall be submitted to the electors to read

3 as follows:

4 Until further provided by law the state is hereby divided into ten appellate

5 court districts as follows:

6 The present first, third, fifth, sixth and eighth judicial circuits shall each

7 constitute with the same numbering, counties and boundaries, the first, third,

8 fifth, sixth and eighth appellate court judicial districts.

9 The counties of Preble, Darke, Shelby, Champaign, Miami, Montgomery

10 and Greene shall constitute the second appellate court judicial district.

11 The counties of Brown, Adams, Highland, Pickaway, Ross, Pike, Scioto,

12 Lawrence, Gallia, Jackson, Meigs, Vinton, Hocking and Athens shall constitute

13 the fourth appellate court judicial district.

14 The counties of Lake, Ashtabula, Geauga, Trumbull, Portage and Mahoning
15 shall constitute the seventh appellate court judicial district.

16 The counties of Columbiana, Jefferson, Belmont, Harrison, Carroll, Monroe,
17 Noble, Guernsey and Washington shall constitute the ninth appellate court judi-
18 cial district.

19 The counties of Franklin, Madison, Clark and Fayette shall constitute the
20 tenth appellate court judicial district.

ORDERED PRINTED.



FOURTH CONSTITUTIONAL
CONVENTION. }

Sub. Proposal No. 16

MR. ELSON.

PROPOSAL

To submit an amendment to Sections 1-4, Article 3, of the constitution.—Relative to the election of state officials.

Resolved, That a proposal to amend the Constitution shall be submitted to

2 the electors to read as follows:

3 SECTION 1. (Executive department.) The executive department shall con-
4 sist of a governor, lieutenant governor, secretary of state, auditor of state,
5 treasurer of state, and an attorney general. The governor, lieutenant governor,
6 and auditor of state shall be elected on the first Tuesday after the first Mon-
7 day in November, by the electors of the state, and at the places of voting for
8 members of the general assembly.

9 SECTION 2. (Term of office.) The governor and lieutenant governor shall
10 hold their offices for two years, and the auditor for four years. Their terms
11 of office shall commence on the second Monday of January next after their
12 election, and continue until their successors are elected and qualified.

13 SECTION 3. (Executive powers vested in governor.) The supreme execu-
14 tive power of this state shall be vested in the governor. He shall appoint the

15 secretary of state, treasurer of state, attorney general, members of the board
16 of public works, dairy and food commissioner, and commissioner of common
17 schools, and shall have authority to remove any of said officials so appointed.



ORDERED PRINTED

FOURTH CONSTITUTIONAL
CONVENTION. }

Sub. Proposal No. 54

MR. ELSON.

To submit an amendment to Article I, Section 5, of the constitution.—Relative to the reform of the jury system.

Resolved, by the Constitutional Convention of the State of Ohio, That a

2 proposal to amend the constitution shall be submitted to the electors to read as
3 follows:

4 ARTICLE I.

5 SECTION 5. The right of trial by jury shall be inviolate; but the General
6 Assembly may authorize that in civil cases a verdict may be rendered by the con-
7 currence of not less than three-fourths of a jury.

Ordered printed, as it will appear if the majority report of the committee on Equal Suffrage and Elective Franchise is adopted.

FOURTH CONSTITUTIONAL
CONVENTION.

Sub. Proposal No. 91

MR. KILPATRICK.

PROPOSAL

To submit an amendment to Article —, Section —, of the
Constitution.—Relative to equal suffrage.

Resolved, by the Constitutional Convention of the State of Ohio, That a
2 proposal to amend the Constitution shall be submitted to the electors to read
3 as follows:

4 SECTION 1. At the time when the vote of the electors shall be taken
5 for the adoption or rejection of any revision, alteration or amendments made
6 to the constitution by this Convention, the following article, independently of
7 the submission of any revision, alteration or other amendments submitted to
8 then, shall be separately submitted to the electors in the words following,
9 to-wit:

10 FOR EQUAL SUFFRAGE.

11 Every citizen of the United States, of the age of twenty-one years, who
12 shall have been a resident of the state one year preceding the election, and
13 of the county, township or ward in which he or she resides such time as may

14 be provided by law, shall have the qualifications of an elector and be entitled
 15 to vote at all elections.

16 SECTION 2. At such election a separate ballot shall be in the following
 17 form:

18 ELECTIVE FRANCHISE.

	For Equal Suffrage.
	Against Equal Suffrage.

19 SECTION 3. Separate ballot boxes shall be provided for the reception of
 20 such ballots.

21 SECTION 4. The voter shall indicate his choice by placing a cross-mark
 22 within the blank space opposite the words, "For Equal Suffrage", if he desire
 23 to vote in favor of the article above mentioned, and opposite the words,
 24 "Against Equal Suffrage", within the blank space, if he desire to vote against
 25 the article above mentioned.

26 SECTION 5. If the votes for equal suffrage shall exceed the votes against
 27 equal suffrage, then the section above mentioned shall take the place of Article
 28 V, Section 1, of the constitution, regardless of whether any revision, alteration
 29 or other amendments submitted to the people shall be adopted or rejected.



FOURTH CONSTITUTIONAL
CONVENTION.

Sub. Proposal No. 93

MR. EARNHART.

PROPOSAL

To submit an amendment to Article XIII, Section 3, of the
Constitution.—Relative to the protection of bank and
other deposits.

Resolved, by the Constitutional Convention of the State of Ohio, That a

2 proposal to amend the Constitution shall be submitted to the electors to read
3 as follows:

4 Dues from private corporations shall be secured by such means as may be
5 prescribed by law, but in no case shall any stockholder be individually liable
6 otherwise than for the unpaid stock owned by him or her; *except that stock-*
7 *holders or corporations authorized to receive money on deposit shall be held*
8 *individually responsible, equally and ratably, and not one for another, for all*
9 *contracts, debts, and engagements of such corporations, to the extent of the*
10 *amount of their stock therein, at the par value, thereof, in addition to the*
11 *invested in such shares.*

ORDERED PRINTED.



FOURTH CONSTITUTIONAL
CONVENTION. }

Sub. Proposal No. 100

MR. FACKLER.

PROPOSAL

To submit an amendment to Article IV, Section 9, of the constitution.—Relative to Justice of the Peace.

Resolved, by the Constitutional Convention of the State of Ohio, That a

2 proposal to amend the Constitution shall be submitted to the electors to read as
3 follows:

4 ARTICLE IV.

5 SECTION 9. A competent number of justices of the peace shall be elected
6 by the electors in each township in the several counties. Their term of office shall
7 be four years and their powers and duties shall be regulated by law. Provided
8 that there shall be no justices of the peace in any township where a court, other
9 than a mayor's court, is or may hereafter be maintained with the jurisdiction of
10 all causes of which justices of the peace are given jurisdiction, and no justices
11 of the peace shall have or exercise jurisdiction in such township.



FOURTH CONSTITUTIONAL
CONVENTION. }

Proposal No. 151

MR. ANDERSON.

PROPOSAL

To submit an amendment to Article XXX, Section 18, of
Schedule of the Constitution.—Relative to the Liquor
Traffic.

Resolved, by the Constitutional Convention of the State of Ohio, That a

2 proposal shall be submitted to the electors to amend the constitution by substi-
3 tuting for section 18 of the schedule the following:

4 SECTION 1. At the time when the vote of the electors shall be taken for the
5 adoption or rejection of any revision, alterations, or amendments made to the
6 constitution by this Convention, the following article, independently of the sub-
7 mission of any revision, alterations or other amendments submitted to them, shall
8 be separately submitted to the electors in the words following, to-wit:

9 FOR LICENSE.

10 License to traffic in intoxicating liquors shall hereafter be granted in this
11 state, and license laws operative throughout the state shall be passed with such
12 restrictions and regulations as the general assembly may provide, and the gen-
13 eral assembly shall authorize municipal corporations to provide for the limita-

tion of the number of saloons, under general laws applicable thereto; provided that where traffic is or may be prohibited under laws applying to counties, municipalities, townships, residence districts, or other districts prescribed by law, the traffic shall not be licensed in any such local subdivision while any prohibitory law is operative therein, and nothing herein contained shall be so construed as to repeal, modify or suspend any such prohibitory laws, or any regulatory law now or hereafter enacted, or to prevent the future enactment, modification or repeal of any similar prohibitory or regulatory laws.

No license shall be granted to any person who at the time of making such application is not a citizen of the United States and of good moral character. No license shall be granted to any applicant who is in any way or manner interested in the business conducted at any other place where intoxicating beverages are sold or kept for sale, nor shall such license be granted unless the applicant or applicants are the only persons in any way or manner pecuniarily interested in the business asked to be licensed, and that no other person shall in any manner whatsoever be in any way interested therein during the continuance of the license, and if such interest of such person be made to appear, the said license shall be deemed revoked.

If any licensee is more than once convicted for a violation of the laws in force to regulate the traffic in intoxicating liquors, the license of said licensee shall be deemed revoked, and no license shall thereafter be granted to such convicted licensee.

No application for license shall be granted unless the business for which license is allowed shall be located in the same county or an adjoining county to that in which the person or persons live and reside whose duty it is to grant such license.

40 No legislation shall authorize more than one license to each township or
41 municipality of less than five hundred population, nor more than one for each five
42 hundred population in other townships and municipalities.

43 SECTION 2. At said election a ballot shall be in the following form:

44 INTOXICATING LIQUORS.

45		For License.
46		Against License.

47 SECTION 3. The voter shall indicate his choice by placing a cross-mark
48 within the blank space opposite the words "For License" if he desires to vote in
49 favor of the article above mentioned and opposite the words "Against License,"
50 within the blank space if he desires to vote against said article. If a cross-mark
51 is placed opposite both phrases or neither phrase, then the vote upon the sub-
52 ject shall not be counted.

53 SECTION 4. If the votes for license shall exceed the votes against license,
54 then the article above mentioned shall become section 9 of Article XV of the
55 constitution, and the present section 9 of said article, also known as section 18
56 of the Schedule shall be repealed.

ORDERED PRINTED.



FOURTH CONSTITUTIONAL
CONVENTION. }

Am. Proposal No. 184

MR. PECK.

PROPOSAL

To submit an amendment to Article IV, Sections 1, 2,
and 6, of the constitution. Relating to the supreme
and circuit courts.—Judicial.

Resolved, by the Constitutional Convention of the State of Ohio, That a

2 proposal to amend the constitution shall be submitted to the electors to read
3 as follows:

4 SECTION 1. The judicial power of the state is vested in a supreme court,
5 courts of appeal, courts of common pleas, courts of probate, justices of the
6 peace and such other courts inferior to the supreme court as the general assembly
7 may from time to time establish.

8 SECTION 2. The supreme court shall consist of six judges and the judges
9 now in office in that court shall continue therein until the end of the terms for
10 which they were respectively elected, unless they are removed, *die or resign*. A
11 majority of the supreme court shall be necessary to constitute a quorum or pro-
12 nounce a decision. It shall have original jurisdiction in quo warranto, man-
13 damus, habeas corpus, procedendo and appellate jurisdiction in all cases involving
14 questions arising under the constitution of the United States or of this state and

15 in cases wherein the death penalty, or imprisonment for life has been adjudged
16 against any person by the courts below, also in cases which originated in the courts
17 of appeal. It shall hold at least one term in each year at the seat of government
18 and such other terms, there or elsewhere, as may be provided by law. The judges
19 of the supreme court shall be elected by the electors of the state at large for
20 such terms, not less than six years, as the general assembly may prescribe and
21 they shall be elected and their official term shall begin at such time as may now
22 or hereafter be fixed by law. Whenever the judges of the supreme court shall
23 be equally divided in opinion as to the merits of any case before them and are
24 unable for that reason to agree upon a judgment that fact shall be entered
25 upon the record and such entry shall be held to constitute an affirmance of the
26 judgment of the court below, and no statute adopted by the general assembly
27 shall be held unconstitutional and void except by the concurrence of all the
28 judges of the supreme court. In cases of public or great general interest
29 the supreme court may direct the court of appeals to certify its record to the
30 supreme court and may review and affirm, modify or reverse the judgment of
31 such court of appeals.

32 SECTION 6. The state shall be divided into *eight* appellate districts of
33 compact territory and divided by county lines in each of which there shall be
34 a court of appeals consisting of three judges and, until altered by statute, the
35 *eight* circuits in which circuit courts are now held shall constitute the appel-
36 late districts aforesaid, and the judges of the circuit courts therein shall con-
37 stitute the respective courts of appeal and perform the duties thereof until
38 the expiration of their respective terms of office, *unless* they are removed,
39 *die or resign*. At the next election after the occurrence of any vacancy the
40 electors of the district shall elect a citizen and resident of the district to the office

41 of judge of the court of appeals for the term of six years, but the length of the
 42 term of office of such judges and the time and mode of their election may be
 43 changed from time to time by the general assembly, and their number may be
 44 likewise increased. The number of districts and boundaries thereof shall be
 45 prescribed by law. The court of appeals shall hold one or more terms in each
 46 year at such places in the district as the judges may determine upon, and the
 47 county commissioners of any county in which the court of appeals shall hold
 48 sessions shall make proper and convenient provision for the holding of such
 49 courts by its judges and officers. Each judge of a court of appeals shall be com-
 50 petent to exercise his judicial powers in any district of the state.

51 The respective courts of appeal shall continue the work of the circuit court
 52 and all pending cases and proceedings in the circuit court shall proceed to
 53 judgment and be determined by the court of appeals, subject to the provisions
 54 hereof, and the existence of the circuit court shall be merged into and its work
 55 continued by the court of appeals.

56 The courts of appeal shall have * * * original jurisdiction *in quo warranto*,
 57 *mandamus, habeas corpus and procedendo* and appellate jurisdiction to review,
 58 and affirm, modify, or reverse the judgments of the courts of common pleas and
 59 superior courts *within* the district, in all cases, and judgments of said courts of
 60 appeal shall be final in all * * * cases, except such as involve questions arising
 61 under the constitution of this state, or the United States, or cases of the infliction
 62 of the penalty of death, or of imprisonment for life, or cases of which it has
 63 original jurisdiction. No judgment of the court of common pleas shall be re-
 64 versed except by the concurrence of all the judges of the court of appeals
 65 *sitting in the case* and whenever the judges of a court of appeals find that a judg-
 66 ment which they have agreed upon is in conflict with a judgment pronounced

67 *upon the same question* by any other court of appeals of the state, the judges
68 shall reserve and certify the record of such case to the supreme court for review
69 and final determination.

ORDERED PRINTED AS REPORTED BY THE COMMITTEE ON SCHEDULE.



FOURTH CONSTITUTIONAL
CONVENTION. }

Sub. Proposal No. 340

MR. TAGGART.

PROPOSAL

To submit an amendment to Schedule No. 4.

Resolved, by the Constitutional Convention of the State of Ohio, That a

2 proposal to amend the Constitution shall be submitted to the electors to read as
3 follows:

4 That the several amendments passed by this Convention or *any* of the same
5 when adopted at the election shall take effect on the first day of January, 1913,
6 *except as otherwise specifically provided in any of the said amendments.* And
7 all laws then in force not inconsistent therewith shall continue in force until
8 amended or repealed; *provided that all cases pending in the courts at the time*
9 *this amendment takes effect shall be heard and tried in the same manner and*
10 *by the same procedure as is now authorized by law.*



FOURTH CONSTITUTIONAL
CONVENTION. }

Sub. Proposal No. 2

MR. CROSSER.

PROPOSAL

To provide for the initiative and referendum and the legislative power.

Resolved, by the Constitutional Convention of the State of Ohio, That

2 SECTION I. . At the time when the vote of the electors shall be taken for
3 the adoption or rejection of any revision, alteration or amendments made to the
4 constitution by this Convention, the following amendment, independently of the
5 submission of any revision, alteration or other amendments submitted to them,
6 shall be separately submitted to the electors, namely, that Article II, Section I,
7 shall be amended so as to read as follows:

8 ARTICLE II.

9 SECTION I. The legislative power of the state shall be vested in a General
10 Assembly consisting of a Senate and House of Representatives but the people
11 reserve to themselves the power to propose laws and amendments to the con-
12 stitution, and to adopt or reject the same at the polls independent of the
13 General Assembly, and also reserve the power, at their own option, to adopt
14 or reject any law, section of any law or any item appropriating money in any
15 law passed by the General Assembly. The limitations expressed in the consti-

16 tution on the power of the General Assembly to enact laws, shall be deemed
17 limitations on the power of the people to enact laws.

18 SECTION 1-a. INITIATIVE. The first aforestated power reserved by the
19 people is designated the Initiative, and the signatures of twelve per centum of
20 the electors shall be required upon a petition to propose an amendment to the
21 constitution.

22 When there shall have been filed with the Secretary of State a petition
23 signed by the aforesaid required number of electors, and verified as herein pro-
24 vided, proposing an amendment to the constitution the full text of which proposed
25 amendment to the constitution shall have been set forth in such petition, the
26 Secretary of State shall submit for the approval or rejection of the electors the
27 proposed amendment to the constitution in the manner hereinafter provided,
28 at the next succeeding regular or general election in any year occurring subse-
29 quent to ninety days after the filing of such petition. All such initiative
30 petitions, above described, shall have printed across the top thereof: "Amend-
31 ment to the Constitution Proposed by Initiative Petition to be Submitted Directly
32 to the Electors."

33 SECTION 1-b. When at any time, not less than ten days prior to the com-
34 mencement of any session of the General Assembly, there shall have been filed
35 with the Secretary of State a petition signed by [✓]six per centum of the
36 electors and verified as herein provided, proposing a law, or a petition signed
37 by [✓]eight per centum of the electors and verified as herein provided, proposing
38 an amendment to the constitution, the full text of which shall have been set
39 forth in such petition, the Secretary of State shall transmit the same to the
40 General Assembly as soon as it convenes. The proposed law or proposed amend-
41 ment to the constitution shall be either approved or rejected without change

42 or amendment by the General Assembly, within four months from the time it
43 is received by the General Assembly. If any such law proposed by petition
44 shall be approved by the General Assembly it shall be subject to the referendum
45 as herein provided. If any such amendment to the constitution proposed by
46 petition shall be approved by the General Assembly it shall be submitted to
47 the electors. If any law or constitutional amendment so petitioned for be
48 rejected, or if no action be taken thereon by the General Assembly within such
49 four months, the Secretary of State shall submit the same to the electors for
50 approval or rejection at the next regular or general election in any year. The
51 General Assembly may decline or refuse to pass any such proposed law or
52 constitutional amendment and adopt a different and competing one on the same
53 subject, and in such event both the proposed and competing law or both the
54 proposed and competing constitutional amendment shall be submitted by the
55 Secretary of State to the electors for approval or rejection at the next regular
56 or general election in any year.

57 All such initiative petitions last above described, shall have printed across
58 the top thereof in the case of proposed laws, the following: "Law Proposed
59 by Initiative Petition to be First Submitted to the General Assembly," or in case
60 of proposed amendments to the constitution: "Amendment to the Constitution
61 Proposed by Initiative Petition to be First Submitted to the General Assembly."

62 Ballots shall be so printed as to permit an affirmative or negative vote upon
63 each measure submitted to the electors.

64 Any proposed law or amendment to the constitution submitted to the
65 electors as provided in Section 1-a and Section 1-b, if it is approved by a majority
66 of the electors voting thereon, shall take effect thirty days after the election
67 at which it is approved and shall be published by the Secretary of State.

68 If conflicting proposed laws or conflicting proposed amendments to the
69 constitution shall be approved at the same election by a majority of the total
70 number of votes cast for and against the same, the one receiving the highest
71 number of affirmative votes shall be the law or in the case of amendments to
72 the constitution shall be the amendment to the constitution. No law proposed
73 by initiative petition and approved by the electors shall be subject to the veto
74 power of the Governor.

75 SECTION I-C. REFERENDUM. The second aforestated power reserved by
76 the people is designated the Referendum, and the signatures of six per centum
77 of the electors shall be required upon a petition to order the submission to the
78 electors of the state for their approval or rejection, of any law, section of any
79 law or any item appropriating money in any law passed by the General Assembly.

80 No law passed by the General Assembly shall go into effect until ninety
81 days after the same shall have been filed by the Governor in the office of the
82 Secretary of State, except as herein provided.

83 When a petition, signed by six per centum of the electors of the state
84 and verified as herein provided, shall have been filed with the Secretary of
85 State within ninety days after any law shall have been filed by the Governor
86 in the office of the Secretary of State, ordering that such law, section of such
87 law or any item appropriating money in such law, be submitted to the electors
88 of the state for their approval or rejection, the Secretary of State shall submit
89 to the electors of the state for their approval or rejection such law, item or
90 section, in the manner herein provided, at the next succeeding regular or general
91 election in any year occurring at a time subsequent to sixty days after the filing
92 of such petition, and no such law, item or section, shall go into effect until
93 and unless approved by a majority of those voting upon the same. If, however,

94 a referendum petition is filed against any such item or section, the remainder
95 of the law shall not thereby be prevented or delayed from going into effect.

96 SECTION I-d. EMERGENCY MEASURES. Acts providing for tax levies, ap-
97 propriations for the current expenses of the state government and state institu-
98 tions and emergency measures necessary for the immediate preservation of the
99 public peace, health or safety, if such emergency measures upon a yea and nay
100 vote shall receive the vote of two-thirds of all the members elected to each
101 branch of the General Assembly, shall go into immediate effect, but the facts con-
102 stituting such necessity shall be set forth in one section of the act, which section
103 shall be passed only upon a yea and nay vote, upon a separate roll call thereon.
104 The acts mentioned in this section shall never be subject to the referendum.

105 SECTION I-e. The powers defined herein as the "Initiative" and the
106 "Referendum" shall never be used to enact a law authorizing any classification
107 of property for the purpose of levying different rates of taxation thereon or
108 of authorizing any single tax on land or land values or land sites at a higher
109 rate or by a different rule than is or may be applied to improvements thereon
110 or to personal property.

111 SECTION I-f. LOCAL INITIATIVE AND REFERENDUM. The initiative and
112 referendum powers of the people are hereby further reserved to the electors
113 of each municipality on all questions which such municipalities may now or
114 hereafter be authorized by law to control by legislative action, such powers to
115 be exercised in the manner now or hereafter provided by law.

116 SECTION I-g. GENERAL PROVISIONS. Any initiative or referendum petition
117 may be presented in separate parts but each part shall contain a full and correct
118 copy of the title, and text of the law, section or item thereof sought to be
119 referred, or the proposed law or proposed amendment to the constitution. Each

120 signer of any initiative or referendum petition must be an elector of the state
121 and shall place on such petition after his name the date of signing and his
122 place of residence. In the case of a signer residing outside of a municipality
123 he shall state the township and county in which he resides and in case of a
124 resident of a municipality in addition to the name of such municipality he shall
125 state the street and number, if any, of his residence and the ward and precinct
126 in which the same is located. The names of all signers to such petitions shall
127 be written in ink, each signer for himself. Each part of such petition shall
128 have attached thereto the affidavit of the person soliciting the signatures to the
129 same, which affidavit shall contain a statement of the number of the signers
130 of such petition and shall state that each of the signatures attached to such
131 part was made in the presence of the affiant, that to the best of his knowledge
132 and belief each signature to such part is the genuine signature of the person
133 whose name it purports to be, that he believes the persons who have signed
134 it to be electors, that they so signed said petition with knowledge of the con-
135 tents thereof, that each signer signed the same on the date stated opposite his
136 name, and no other affidavit thereto shall be required.

137 The petition and signatures upon such petitions, so verified, shall be pre-
138 sumed to be in all respects sufficient, unless not later than forty days before
139 election, it shall be otherwise proven and in such event ten additional days shall
140 be allowed for the filing of additional signatures to such petition, and no law
141 or amendment to the constitution submitted to the electors by initiative petition
142 and receiving an affirmative majority of the votes cast thereon shall ever be
143 held unconstitutional or void on account of the insufficiency of the petitions by
144 which such submission of the same shall have been procured; nor shall the

145 rejection of any law submitted by referendum petition be held invalid for such
146 insufficiency.

147 Upon all initiative and referendum petitions provided for in any of the
148 sections of this article, it shall be necessary to file from each of one-half of
149 the counties of the state petitions bearing the signatures of not less than one-
150 half of the designated percentage of the electors of such county.

151 A true copy of all laws or proposed laws or proposed amendments to the
152 constitution, together with an argument or explanation, or both, for, and also
153 an argument or explanation, or both, against the same, shall be prepared. The
154 person or persons who prepare the argument or explanation, or both, against
155 any law, section or item, submitted to the electors by referendum petition may
156 be named in such petition and the persons who prepare the arguments or ex-
157 planations, or both, for any proposed law or proposed amendment to the con-
158 stitution may be named in the petition proposing the same. The person or
159 persons who prepare the argument or explanation, or both, for the law, section
160 or item, submitted to the electors by referendum petition, or for any competing
161 law or competing amendment to the constitution or against any law submitted
162 by initiative petition, shall be named by the General Assembly, if in session,
163 and if not in session then by the Governor.

164 The Secretary of State shall have printed the law or proposed law or
165 proposed amendment to the constitution together with the arguments and ex-
166 planations, not exceeding a total of three hundred words for each of the same,
167 and also the arguments and explanations not exceeding a total of three hundred
168 words against each of the same, and shall mail or otherwise distribute a copy
169 of such law or proposed law or proposed amendment to the constitution together

170 with such arguments and explanations for and against the same to each of the
171 electors of the state, as far as reasonably possible.

172 Unless otherwise provided by law, the Secretary of State shall cause to
173 be placed upon the official ballots the title of any such law or proposed law or
174 proposed amendment to the constitution to be submitted. He shall also cause
175 the ballots to be so printed as to permit an affirmative or negative vote upon
176 each law, section of law or item appropriating money in a law, or proposed
177 law or proposed amendment to the constitution.

178 When competing laws or competing amendments to the constitution are
179 submitted to the electors the ballots shall be so printed that the elector can
180 express separately by making one crossmark (X) for each, two preferences,
181 first, as between "either measure" and "neither measure," and secondly, as
182 between one and the other. If the majority of the votes cast on the first issue
183 is for "neither measure," both measures fail of adoption. If a majority of the
184 votes cast on the first issue is in favor of "either measure," then the measure
185 receiving a majority of the votes cast on the second issue shall be the law
186 or the amendment to the constitution as the case may be.

187 The style of all laws submitted by initiative petition shall be: "Be It
188 Enacted by the People of the State of Ohio," and of all constitutional amend-
189 ments: "Be It Resolved by the People of the State of Ohio."

190 The basis upon which the required number of petitioners in any case shall
191 be determined shall be the total number of votes cast for the office of governor
192 at the last preceding election therefor.

193 The foregoing provisions of this section shall be self-executing, except as
194 herein otherwise provided. Legislation may be enacted to facilitate their opera-

tion, but in no way limiting or restricting either such provisions or the powers herein reserved.

SECTION 2. At such election a separate ballot in the following form shall be furnished each elector desiring to vote.

INITIATIVE AND REFERENDUM.

	For Initiative and Referendum.
	Against Initiative and Referendum.

SECTION 3. Separate ballot boxes shall be provided for the reception of such ballots.

SECTION 4. The elector shall indicate his choice by placing a crossmark within the blank space opposite the words, "For Initiative and Referendum," if he desire to vote in favor of the amendment above mentioned, and within the blank space opposite the words, "Against Initiative and Referendum," if he desire to vote against the amendment above mentioned.

SECTION 5. If the votes for Initiative and Referendum shall exceed the votes against Initiative and Referendum, then the section above mentioned shall take the place of Article II, Section 1, of the constitution, regardless of whether any revision, alteration or other amendments submitted to the people shall be adopted or rejected.

Ordered printed, as it will appear if the minority report of the committee on Liquor Traffic is adopted.



FOURTH CONSTITUTIONAL
CONVENTION. }

Proposal No. 4

MR. KING.

PROPOSAL

To submit substitute for schedule, Section 18 of the constitution.—Relating to licensing the traffic in intoxicating liquors.

Resolved, by the Constitutional Convention of the State of Ohio, That a

2 proposal shall be submitted to the electors to amend the constitution by sub-
3 stituting for Section 18 of the schedule the following:

4 SECTION 1. At the time when the vote of the electors shall be taken for the
5 adoption or rejection of any revision, alterations, or amendments made to the
6 constitution by this convention, the following articles, independently of the sub-
7 mission of any revision, alterations or other amendments submitted to them, shall
8 be separately submitted to the electors in the alternative in the words following,
9 to-wit:

10 *The General Assembly, shall be authorized to enact legislation providing for*
11 *the licensing of the liquor traffic, but no such legislation shall authorize more*

12 *than one license in each township, or municipality of less than 1,000 population,*
 13 *nor more than one for each 1,000 population in other townships and municipali-*
 14 *ties; provided, however, that any license so granted shall be deemed revoked if*
 15 *in the place operated under such license any law regulating such traffic in intoxi-*
 16 *cating liquors is violated.*

17 *And provided further, that nothing herein contained shall invalidate, limit*
 18 *or restrict the provisions of any law now in force, relating to such traffic, or in*
 19 *any way limit the right of the General Assembly, under its police power, to*
 20 *provide against the evils resulting from the traffic in intoxicating liquors.*

21 SECTION 2. At said election, a separate ballot shall be in the following
 22 form:

23 INTOXICATING LIQUORS.

	For License.
	Against License.

24 SECTION 3. Separate ballot boxes shall be provided for the reception of said
 25 ballots.

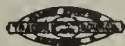
26 SECTION 4. The voter shall indicate his choice by placing a cross-mark
 27 within the blank space opposite the words "For License" if he desires to vote in
 28 favor of license. And opposite the words "Against License" within the blank
 29 space, if he desires to vote against license, and in favor of allowing Section 9,
 30 Article XV of the present constitution to remain unchanged. If a cross-mark is
 31 placed opposite both phrases or neither phrase, then the vote upon that subject
 32 shall not be counted.

33 SECTION 5. If the votes for license shall exceed the votes against license,
 34 then the article * * * above mentioned shall become a part of Article XV of the

35 constitution, regardless of whether any revision, alterations, or other amendments
36 submitted to the people shall be adopted or rejected. And if the votes against
37 license shall exceed those for license, *then Section 9, Article XV of the present*
38 *constitution shall remain unchanged.*

The words appearing in red are amendments suggested.

The words with red lines through them are words to be stricken out by amendments.



FOURTH CONSTITUTIONAL }
CONVENTION.

Proposal No. 4

MR. KING.

PROPOSAL

To submit substitute for section 9 of article 15, otherwise known as ~~schedule~~, section 18 of the schedule of the constitution.—Relating to licensing the traffic in intoxicating liquors.

Resolved by the constitutional convention of the state of Ohio, That a proposal shall be submitted to the electors to amend the constitution by substituting for section 9 of article 15 18 of the schedule the following:

SECTION I. At the time when the vote of the electors shall be taken for the adoption or rejection of any revision, alterations, or amendments made to the constitution by this convention, the following articles, independently of the submission of any revision, alterations or other amendments submitted to them, shall be separately submitted to the electors in the alternative in the words following, to-wit:

FOR LICENSE.

10
 11 "License to traffic in intoxicating liquors shall hereafter be granted in this
 12 state, and license laws shall be passed to regulate and restrict the said traffic and
 13 shall be operative throughout the state, provided that where the traffic is or may be pro-
 14 hibited under laws applying to counties, municipalities, township or residence
 15 districts, the traffic shall not be licensed in any such ~~of said~~ local subdivisions, ~~while so long~~
 16 ~~as~~ the prohibition of the said traffic shall by law be operative therein. Nothing
 17 herein contained shall be so construed as to repeal, ~~or~~ modify ~~or~~ suspend such prohibitory
 18 laws or to prevent their future enactment, modification or repeal, or to repeal or
 19 to prevent the repeal of any laws whatever now ~~or~~ hereafter existing to regulate the traffic
 20 in intoxicating liquors. ~~Nor shall any law be valid which has the effect of de-~~
 21 ~~feating or negating directly or indirectly the regulation of the traffic by a license~~
 22 ~~system herein provided for."~~

AGAINST LICENSE.

23
 24 "No license to traffic in intoxicating liquors shall hereafter be granted in this
 25 state; but the general assembly may by law provide against the evils resulting
 26 therefrom."

27 SECTION 2. At said election, a separate ballot shall be in the following
 28 form:

INTOXICATING LIQUORS.

	For License.
	Against License.

30 SECTION 3. Separate ballot boxes shall be provided for the reception of said
 31 ballots.

32 SECTION 4. The voter shall indicate his choice by placing a cross-mark
33 within the blank space opposite the words "For License" if he desires to vote in
34 favor of the article first above mentioned, and opposite the words "Against
35 License" within the blank space if he desires to vote in favor of the article
36 second above mentioned. If a cross-mark is placed opposite both phrases or
37 neither phrase, then the vote upon that subject shall not be counted.

38 SECTION 5. If the votes for license shall exceed the votes against license,
39 then the article first above mentioned shall become^{section 9} ~~a part~~ of article XV of the
40 constitution, regardless of whether any revision, alterations, or other amendments
41 submitted to the people shall be adopted or rejected. And if the votes against
42 license shall exceed those for license, then the second article above mentioned
43 shall be ^{section 9} ~~a part~~ of article XV of the constitution.



FOURTH CONSTITUTIONAL }
CONVENTION.

Proposal No. 5

MR. CUNNINGHAM.

PROPOSAL

To submit substitute for Article No. 5 of the Constitution.
—Relative to elective franchise.

Resolved by the constitutional convention of the state of Ohio, That a

2 proposal shall be submitted to the electors to amend the constitution by sub-
3 stituting for Article 5 of the constitution the following:

4 SECTION 1. Every male citizen of the United States of the age of twenty-
5 one years, who shall have been a resident of the state one year next preceding
6 the election, and of the county, township, precinct or ward in which he resides,
7 such time as may be provided by law, shall have the qualification of an elector
8 and be entitled to vote at all elections. But no idiot or insane person shall be
9 entitled to the privilege of an elector.

10 SECTION 2. All elections shall be by ballot, and canvassed in such manner
11 as may be provided by law.

12 SECTION 3. Electors during their attendance at elections, and in going to
13 and returning therefrom shall be privileged from arrest in all cases, except
14 treason, felony, intoxication and breach of the peace.

15 SECTION 4. The general assembly shall have power to exclude from the
16 privilege of voting or of being eligible to office, any person convicted of bribery,
17 perjury or other infamous crime.

18 SECTION 5. No person in the military, naval or marine service of the
19 United States shall by being stationed in any garrison or military or naval sta-
20 tion within the state, be considered a resident of this state, and in time of war,
21 no elector in the actual military service of the state or of the United States, in
22 the army or navy by reason of his absence from his election district; and the
23 legislature shall have power to provide the manner in which and the time and
24 place at which such absent electors may vote, and for the return and canvass of
25 their votes in the election districts in which they respectively have a residence.



FOURTH CONSTITUTIONAL }
CONVENTION.

Proposal No. 7

MR. NYE.

PROPOSAL

To submit an amendment to article 3, section 8, of the constitution. — Relative to calling extra sessions of the general assembly.

Resolved by the Constitutional Convention of the State of Ohio. That a

2 proposal to amend the constitution shall be submitted to the electors to read as
3 follows:

4 ARTICLE III.

5 EXECUTIVE.

6 To amend section 8 of article 3.

7 SECTION 8. The governor on extraordinary occasions may convene the
8 general assembly by proclamation and shall state in said proclamation the pur-
9 pose for which said special session is called and no other business shall be trans-
10 acted at said special session except that named in said proclamation, or in a sub-
11 sequent public proclamation issued by the Governor during said special session.

FOURTH CONSTITUTIONAL
CONVENTION. }

Am. Proposal No. 15

MR. RILEY.

PROPOSAL

To submit an amendment to Article I, Section 10, of the constitution.—Relative to bill of rights.

Resolved, by the Constitutional Convention of the State of Ohio, That a

2 proposal to amend the constitution shall be submitted to the electors to read
3 as follows:

4 ARTICLE I.

5 SECTION 10. Except in cases of impeachment, and cases arising in the
6 army and navy, or in the militia when in actual service in time of war or public
7 danger, and in all offenses for which a punishment less than imprisonment in
8 the penitentiary is provided, no person shall be held to answer for a capital, or
9 otherwise infamous crime, unless on presentment or indictment of a grand
10 jury and the number of persons to constitute such grand jury and the concur-
11 rence of what number thereof shall be necessary to find such indictment shall
12 be determined by the general assembly.

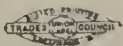
13 In any trial, in any court, the party accused shall be allowed to appear
14 and defend in person and with counsel; to demand the nature and cause of the

15 accusation against him, and to have a copy thereof; to meet the witnesses face
16 to face, and to have compulsory process to procure the attendance of witnesses
17 in his behalf, and a speedy public trial by an impartial jury of the county * * *
18 in which the offense is alleged to have been committed; but the general assembly
19 may provide by law for the taking of the deposition by the accused or by the
20 state, to be used for or against the accused, of any witness whose attendance can
21 not be had at the trial, always securing to the accused the opportunity to be
22 present in person and with counsel at the taking of such deposition, and to
23 examine the witness face to face as fully and in the same manner as if in court.

24 No person shall be compelled, in any criminal case, to be a witness against
25 himself; *but his failure to testify may be considered by the court and jury and*
26 *the same may be made the subject of comment by counsel.*

27 *No person shall* be twice put in jeopardy for the same offense.

ORDERED PRINTED.



FOURTH CONSTITUTIONAL
CONVENTION.

Sub. Proposal No. 24

MR. CORDES.

PROPOSAL

To submit an amendment to Article II, Section 33, of the constitution.—Relative to requiring the general assembly to pass laws relative to compensation of employees.

Resolved, by the Constitutional Convention of the State of Ohio, That a

2 proposal to amend the Constitution shall be submitted to the electors to read
3 as follows:

4 ARTICLE II.

5 SECTION 33. For the purpose of providing compensation from a state
6 fund, to workmen and their dependents, for death, injuries or occupational
7 diseases, occasioned in the course of such workmen's employment, laws may
8 be passed establishing a fund to be created and administered by the state and
9 by compulsory contribution thereto by employers; determining the terms and
10 conditions upon which payment shall be made therefrom and taking away any
11 or all rights of action or defenses from employees and employers but no right
12 of action shall be taken away from any employees when the injury, disease
13 or death arises from failure of the employer to comply with any lawful require-
14 ment for the protection of the lives, health and safety of employees. Laws

15 may be passed establishing a board which may be empowered to classify all
16 occupations, according to their degree of hazard; fix rates of contribution to
17 such fund according to the general rule of classification and to collect, administer
18 and distribute such fund and to determine all rights of claimants thereto.

ORDERED PRINTED, AS REPORTED BY THE COMMITTEE ON LABOR.



FOURTH CONSTITUTIONAL }
CONVENTION. }

Sub. Proposal No. 34

MR. THOMAS.

PROPOSAL

To submit an amendment to Article XV, by adding Sections 10, 11, 12, 13, 14 and 15.—Relative to industrial regulations.

Resolved, by the constitutional convention of the state of Ohio, That a pro-

2 posal to amend the constitution shall be submitted to the electors to read as
3 follows:

4 The contracting or sale of prison labor or the product of prison labor, by
5 the state or by any political subdivision of the state is hereby prohibited, and no
6 prison-made goods shall be sold in the state unless the same are conspicuously
7 marked, "Prison-made." All persons confined in any penal institution in the
8 state, so far as may be consistent with discipline and the public interest, shall be
9 employed in some beneficial industry for the use of the state or its political sub-
10 divisions, and where a prisoner has a dependent family his net earnings may be
11 paid to said dependents for their support.

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Ordered printed, as it would appear if the minority report of the Committee on Corporations other than municipal is agreed to.



FOURTH CONSTITUTIONAL
CONVENTION. }

Proposal No. 51

MR. MILLER, of Crawford.

PROPOSAL

To submit an amendment to Article VIII, Section 6, of the constitution. — Relative to permitting public property being insured in mutual associations and companies.

Resolved, by the constitutionl cenvention of the state of Ohio, That a

2 proposal to amend the constitution shall be submitted to the electors to read
3 as follows:

4 ARTICLE VIII.

5 SECTION 6. The general assembly shall never authorize any county, city,
6 town or township, by vote of its citizens, or otherwise, to become a stockholder
7 in any joint stock company, corporation, or association whatever; or to raise
8 money for, or to loan its credit to, or in aid of any such company, corporation,
9 or association.

10 The General Assembly may provide by law for the regulation of all rates
11 charged or to be charged by any insurance company, corporation or association
12 organized under the laws of this state or doing any insurance business in this
13 state.

14 Provided, however, that the General Assembly may establish and maintain
15 a bureau of insurance for the purpose of furnishing fire, life, accident or other
16 insurance to the citizens of the state, and provided further, that nothing in
17 this section shall prevent public buildings or property being insured in mutual
18 fire insurance associations or companies.

Ordered printed, as it would appear if the majority report of the Committee on Corporations other than municipal is agreed to.



FOURTH CONSTITUTIONAL }
CONVENTION.

Proposal No. 51

MR. MILLER, of Crawford.

PROPOSAL

To submit an amendment to Article VIII, Section 6, of the constitution. — Relative to permitting public property being insured in mutual associations and companies.

Resolved, by the constitutional convention of the state of Ohio, That a

2 proposal to amend the constitution shall be submitted to the electors to read
3 as follows:

4 ARTICLE VIII.

5 SECTION 6. The general assembly shall never authorize any county, city,
6 town or township, by vote of its citizens, or otherwise, to become a stockholder
7 in any joint stock company, corporation, or association whatever; or to raise
8 money for, or to loan its credit to, or in aid of any such company, corporation,
9 or association;

10 Providing however; that nothing in this section shall prevent public build-
11 ings or property being insured in mutual fire insurance associations or com-
12 panies.

13 *The General Assembly may provide by law for the regulation of all rates*
14 *charged or to be charged by any insurance company, corporation or association*
15 *organized under the laws of this state or doing any insurance business in this*
16 *state.*



ORDERED PRINTED

FOURTH CONSTITUTIONAL
CONVENTION. }

Sub. Proposal No. 54

MR. ELSON.

To submit an amendment to Article I, Section 5, of the constitution.—Relative to the reform of the jury system.

Resolved, by the Constitutional Convention of the State of Ohio, That a
2 proposal to amend the constitution shall be submitted to the electors to read as
3 follows:

ARTICLE I.

5 SECTION 5. The right of trial by jury shall be inviolate; but the General
6 Assembly may authorize that in civil cases a verdict may be rendered by the con-
7 currence of not less than three-fourths of a jury.

ORDERED PRINTED.



FOURTH CONSTITUTIONAL
CONVENTION. }

Sub. Proposal No. 62

MR. PIERCE.

PROPOSAL

Relative to abolition of capital punishment.

Resolved, by the Constitutional Convention of the State of Ohio, That a

2 proposal to amend the Constitution shall be submitted to the electors to read
3 as follows:

4 SECTION 1. At the time when the vote of the electors shall be taken for
5 the adoption or rejection of any revision, alteration or amendments made to
6 the constitution by this convention, the following section, independently of the
7 submission of any revision, alteration or other amendments, submitted to them,
8 shall be separately submitted to the electors in the words following, to wit:

9 ARTICLE I.

10 SECTION 9. All persons shall be bailable by sufficient sureties, except in
11 cases of homicide, where proof is evident or the presumption great. Excessive
12 bail shall not be required; nor excessive fines imposed; nor cruel and unusual
13 punishments inflicted; nor shall life be taken as a punishment for crime.

14 SECTION 2. At such election a separate ballot shall be provided for the
15 voters in the following form:

16 TO ABOLISH CAPITAL PUNISHMENT.

	Abolition of capital punishment, YES.
	Abolition of capital punishment, NO.

17 SECTION 3. The voter shall indicate his choice by placing a cross mark
18 within the blank space opposite the words, "Abolition of capital punishment,
19 YES.", if he desire to vote in favor of the section above mentioned; and within
20 the blank space opposite the words, "Abolition of capital punishment, NO.",
21 if he desire to vote against the section above mentioned.

22 SECTION 4. If the votes in favor of the section above mentioned shall
23 exceed the votes against the same, then said section shall take the place of
24 Section 9 of Article I of the constitution, regardless of whether any revision,
25 alteration or other amendments submitted to the people, shall be adopted or
26 rejected.



FOURTH CONSTITUTIONAL
CONVENTION. }

Sub. Proposal No. 64

MR. MILLER, of Fairfield.

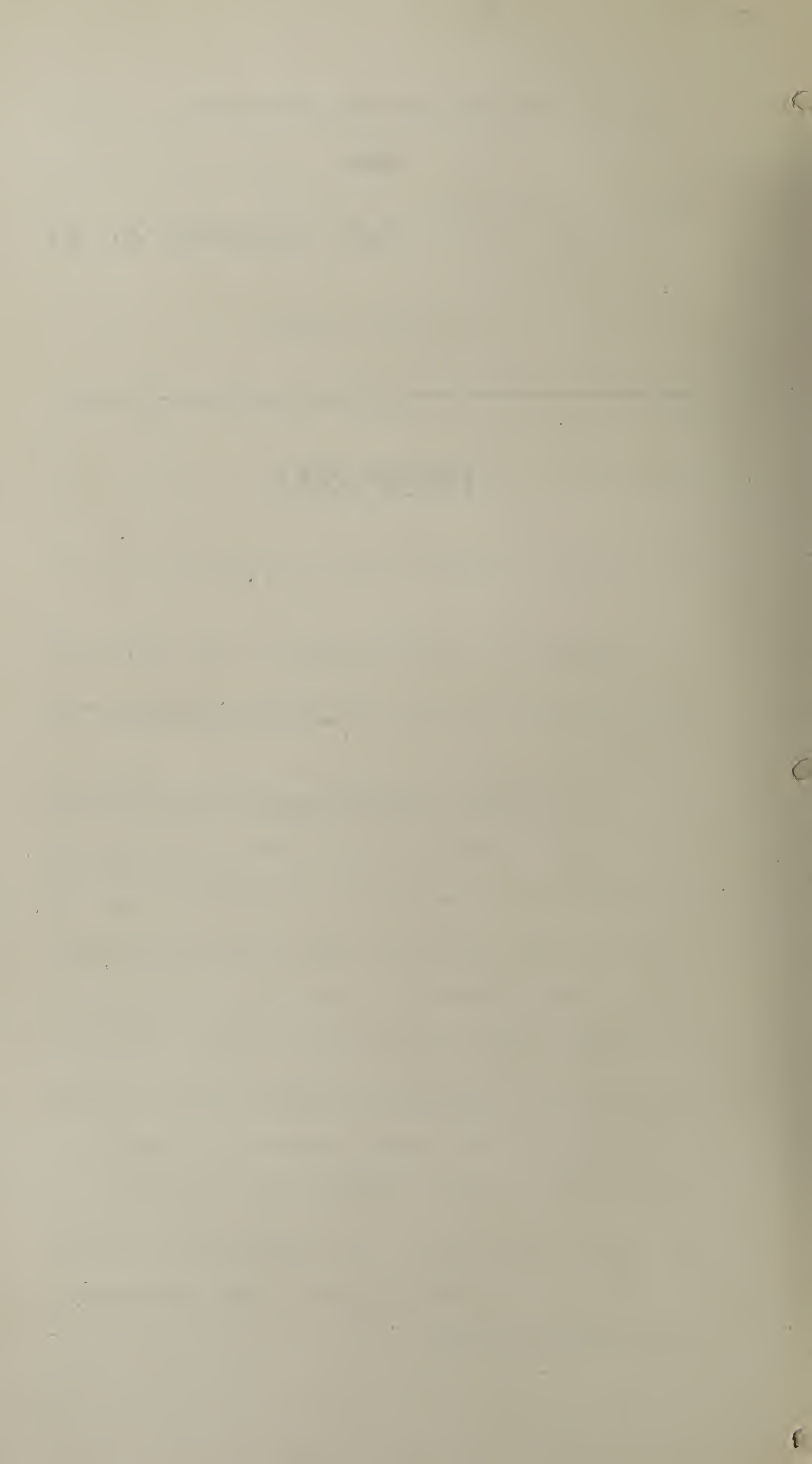
PROPOSAL

Relative to the Conservation of our Natural Resources.

Resolved, by the Constitutional Convention of the State of Ohio, That a

2 proposal to amend the constitution shall be submitted to the electors to read as
3 follows:

4 Laws may be passed to encourage the propagation, planting and cultivation
5 of forestry and exempting from taxation, in whole or in part, wood lots or
6 plantations devoted exclusively to forestry or to the growing of forest trees;
7 and also provide for reforestation and holding as forest reserves such lands or
8 parts of lands as has been or may be forfeited to the state, and may authorize
9 the acquiring of other lands for that purpose; also to provide for the conserva-
10 tion of all natural resources of the state, including all streams, lakes, submerged
11 and swamp lands or other collections of water within the boundaries of the
12 state, and for the formation of conservation districts; and shall provide for
13 the regulation of all force, energy and power developed or to be developed from
14 said water; and shall provide for the regulation of mining, weighing, measuring
15 and marketing of all minerals.





FOURTH CONSTITUTIONAL
CONVENTION. }

Sub. Proposal No. 72

MR. STOKES.

PROPOSAL

To submit an amendment to Article XIII, Section 8, of the constitution.—Relative to investment companies.

Resolved, by the Constitutional Convention of the State of Ohio, That a

2 proposal to amend the constitution shall be submitted to the electors to read

3 as follows:

4 ARTICLE XIII, SECTION 2.

5 Corporations may be formed under general laws; but all such laws may,

6 from time to time, be altered or repealed.

7 Corporations may be classified and there may be conferred upon proper

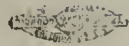
8 boards, commissions or officers, such supervisory and regulatory powers over

9 their organization, business and issue and sale of stock and securities, and over

10 the business and sale of the stock and securities of foreign corporations in this

11 state, as may be prescribed by law.

Ordered printed, as it will appear if the majority report of the committee on Equal Suffrage and Elective Franchise is adopted.



FOURTH CONSTITUTIONAL
CONVENTION.

}

Sub. Proposal No. 91

MR. KILPATRICK.

PROPOSAL

To submit an amendment to Article —, Section —, of the
Constitution.—Relative to equal suffrage.

Resolved, by the Constitutional Convention of the State of Ohio, That a

2 proposal to amend the Constitution shall be submitted to the electors to read
3 as follows:

4 SECTION 1. At the time when the vote of the electors shall be taken
5 for the adoption or rejection of any revision, alteration or amendments made
6 to the constitution by this Convention, the following article, independently of
7 the submission of any revision, alteration or other amendments submitted to
8 then, shall be separately submitted to the electors in the words following,
9 to-wit:

10 FOR EQUAL SUFFRAGE.

11 Every citizen of the United States, of the age of twenty-one years, who
12 shall have been a resident of the state one year preceding the election, and
13 of the county, township or ward in which he or she resides such time as may

14 be provided by law, shall have the qualifications of an elector and be entitled
15 to vote at all elections.

16 SECTION 2. At such election a separate ballot shall be in the following
17 form:

18 ELECTIVE FRANCHISE.

	For Equal Suffrage.
	Against Equal Suffrage.

19 SECTION 3. Separate ballot boxes shall be provided for the reception of
20 such ballots.

21 SECTION 4. The voter shall indicate his choice by placing a cross-mark
22 within the blank space opposite the words, "For Equal Suffrage", if he desire
23 to vote in favor of the article above mentioned, and opposite the words,
24 "Against Equal Suffrage", within the blank space, if he desire to vote against
25 the article above mentioned.

26 SECTION 5. If the votes for equal suffrage shall exceed the votes against
27 equal suffrage, then the section above mentioned shall take the place of Article
28 V, Section 1, of the constitution, regardless of whether any revision, alteration
29 or other amendments submitted to the people shall be adopted or rejected.



FOURTH CONSTITUTIONAL
CONVENTION.

} *Sub.* Proposal No. 93

MR. EARNHART.

PROPOSAL

To submit an amendment to Article XIII, Section 3, of the
Constitution.—Relative to the protection of bank and
other deposits.

Resolved, by the Constitutional Convention of the State of Ohio, That a

2 proposal to amend the Constitution shall be submitted to the electors to read
3 as follows:

4 Dues from private corporations shall be secured by such means as may be
5 prescribed by law, but in no case shall any stockholder be individually liable
6 otherwise than for the unpaid stock owned by him or her; *except that stock-*
7 *holders or corporations authorized to receive money on deposit shall be held*
8 *individually responsible, equally and ratably, and not one for another, for all*
9 *contracts, debts, and engagements of such corporations, to the extent of the*
10 *amount of their stock therein, at the par value, thereof, in addition to the*
11 *invested in such shares.*

ORDERED PRINTED, AS REPORTED BY COMMITTEE ON EDUCATION.



FOURTH CONSTITUTIONAL
CONVENTION. }

Sub. Proposal No. 96

MR. FESS.

PROPOSAL

To submit an amendment by adding Section 4 to Article VI,
of the Constitution.—Relative to the office of Superinten-
dent of Public Instruction.

Resolved, by the Constitutional Convention of the State of Ohio, That a

2 proposal to amend the Constitution shall be submitted to the electors to read as
3 follows:

4 ARTICLE VI.

5 SEC. 4. A superintendent of public instruction shall be included as one of
6 the officers of the executive department to be appointed by the governor, for
7 the term of four years, with such powers as may be prescribed by law.

ORDERED PRINTED.



FOURTH CONSTITUTIONAL
CONVENTION. }

Sub. Proposal No. 100

MR. FACKLER.

PROPOSAL

To submit an amendment to Article IV, Section 9, of the constitution.—Relative to Justice of the Peace.

Resolved, by the Constitutional Convention of the State of Ohio, That a

2 proposal to amend the Constitution shall be submitted to the electors to read as
3 follows:

4 ARTICLE IV.

5 SECTION 9. A competent number of justices of the peace shall be elected
6 by the electors in each township in the several counties. Their term of office shall
7 be four years and their powers and duties shall be regulated by law. Provided
8 that there shall be no justices of the peace in any township where a court, other
9 than a mayor's court, is or may hereafter be maintained with the jurisdiction of
10 all causes of which justices of the peace are given jurisdiction, and no justices
11 of the peace shall have or exercise jurisdiction in such township.



FOURTH CONSTITUTIONAL }
CONVENTION.

Proposal No. 118

MR. LAMPSON.

PROPOSAL

To submit an amendment to Article VIII, Section I, of the constitution.—Relative to raising the bond limit to aid in good roads.

Resolved, by the Constitutional Convention of the State of Ohio, That a

proposal to amend the Constitution shall be submitted to the electors to read as follows:

ARTICLE VIII.

SECTION 1. (Public Debt.) The state may contract debts to supply casual deficits or failures in revenues, or to meet expenses not otherwise provided for; but the aggregate amount of such debts, direct and contingent, whether contracted by virtue of one or more acts of the General Assembly, or at different periods of time, shall never exceed seven hundred and fifty thousand dollars; and the money, arising from the creation of such debts shall be applied to the purpose for which it was obtained or to repay the debts so contracted and to no other purpose whatever.

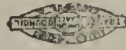
Provided, however, that the General Assembly may contract debts and au-

14 thorize issues of bonds to an amount which in the aggregate *shall not exceed*
15 *fifty millions of dollars* for the purpose of constructing, improving, *maintaining,*
16 *repairing and rebuilding a system of inter-county wagon roads* throughout the
17 state; not to exceed ten millions of dollars in *such* bonds shall be issued in any
18 one year, *and there shall be levied and collected annually by taxation an amount*
19 *sufficient to pay the interest on said bonds, and provide a sinking fund for their*
20 *final redemption at maturity.*

21 *Such wagon roads shall be determined under general laws and the cost there-*
22 *of shall be paid by the state.*

23 *The provisions of this section shall not be limited or controlled by section*
24 *6 of article XII.*

ORDERED PRINTED.



FOURTH CONSTITUTIONAL
CONVENTION. }

Sub. Proposal No. 122

MR. FARRELL.

PROPOSAL

Relative to employment of women, children and persons engaged in hazardous employment.

Resolved, by the Constitutional Convention of the State of Ohio, That a

2 proposal to amend the Constitution shall be submitted to the electors to read
3 as follows:

4 Laws may be passed fixing and regulating the hours of labor, establishing
5 a minimum wage and providing for the comfort, health, safety and general
6 welfare of all employes; and no other provision of the constitution shall impair
7 or limit this power.

ORDERED PRINTED, AS PASSED ON SEDOND READING.



FOURTH CONSTITUTIONAL
CONVENTION. }

Proposal No. 134

MR. HALENKAMP.

PROPOSAL

To submit an amendment to Article I, of the constitution. —
Relative to injunctions.

Resolved, by the Constitutional Convention of the State of Ohio, That a

2 proposal to amend the Constitution shall be submitted to the electors to read
3 as follows:

4 Laws may be passed, prescribing rules and regulations for the conduct of
5 cases and business in the Supreme Court and other courts of the state, and for
6 the regulation of proceedings in contempt and limiting the power to punish
7 persons adjudged guilty of contempt.

8 No order of injunction shall issue in any industrial controversy involving
9 the employment of labor, except to preserve physical property from injury or
10 destruction, and all persons charged in contempt proceedings with the violation
11 of an injunction issued in such industrial controversies involving the employ-
12 ment of labor shall, upon demand, be granted a trial by jury as in criminal cases.



FOURTH CONSTITUTIONAL
CONVENTION. }

Proposal No. 151

MR. ANDERSON.

PROPOSAL

To submit an amendment to Article XXX, Section 18, of
Schedule of the Constitution.—Relative to the Liquor
Traffic.

Resolved, by the Constitutional Convention of the State of Ohio, That a
2 proposal shall be submitted to the electors to amend the constitution by substi-
3 tuting for section 18 of the schedule the following:

4 SECTION 1. At the time when the vote of the electors shall be taken for the
5 adoption or rejection of any revision, alterations, or amendments made to the
6 constitution by this Convention, the following article, independently of the sub-
7 mission of any revision, alterations or other amendments submitted to them, shall
8 be separately submitted to the electors in the words following, to-wit:

9 FOR LICENSE.

10 License to traffic in intoxicating liquors shall hereafter be granted in this
11 state, and license laws operative throughout the state shall be passed with such
12 restrictions and regulations as the general assembly may provide, and the gen-
13 eral assembly shall authorize municipal corporations to provide for the limita-

tion of the number of saloons, under general laws applicable thereto; provided that where traffic is or may be prohibited under laws applying to counties, municipalities, townships, residence districts, or other districts prescribed by law, the traffic shall not be licensed in any such local subdivision while any prohibitory law is operative therein, and nothing herein contained shall be so construed as to repeal, modify or suspend any such prohibitory laws, or any regulatory law now or hereafter enacted, or to prevent the future enactment, modification or repeal of any similar prohibitory or regulatory laws.

No license shall be granted to any person who at the time of making such application is not a citizen of the United States and of good moral character.

No license shall be granted to any applicant who is in any way or manner interested in the business conducted at any other place where intoxicating beverages are sold or kept for sale, nor shall such license be granted unless the applicant or applicants are the only persons in any way or manner pecuniarily interested in the business asked to be licensed, and that no other person shall in any manner whatsoever be in any way interested therein during the continuance of the license, and if such interest of such person be made to appear, the said license shall be deemed revoked.

If any licensee is more than once convicted for a violation of the laws in force to regulate the traffic in intoxicating liquors, the license of said licensee shall be deemed revoked, and no license shall thereafter be granted to such convicted licensee.

No application for license shall be granted unless the business for which license is allowed shall be located in the same county or an adjoining county to that in which the person or persons live and reside whose duty it is to grant such license.

40 No legislation shall authorize more than one license to each township or
41 municipality of less than five hundred population, nor more than one for each five
42 hundred population in other townships and municipalities.

43 SECTION 2. At said election a ballot shall be in the following form:

44 INTOXICATING LIQUORS.

45		For License.
46		Against License.

47 SECTION 3. The voter shall indicate his choice by placing a cross-mark
48 within the blank space opposite the words "For License" if he desires to vote in
49 favor of the article above mentioned and opposite the words "Against License,"
50 within the blank space if he desires to vote against said article. If a cross-mark
51 is placed opposite both phrases or neither phrase, then the vote upon the sub-
52 ject shall not be counted.

53 SECTION 4. If the votes for license shall exceed the votes against license,
54 then the article above mentioned shall become section 9 of Article XV of the
55 constitution, and the present section 9 of said article, also known as section 18
56 of the Schedule shall be repealed.



FOURTH CONSTITUTIONAL }
CONVENTION. }

Proposal No 163

MR. MILLER, of Crawford.

PROPOSAL

To submit an amendment to Article XV, Section 4, of the constitution.—Relative to who eligible to office.

Resolved, by the Constitutional Convention of the State of Ohio, That a pro-

2 posai to amend the constitution shall be submitted to the electors to read as
3 follows:

4 No person shall be elected or appointed to any office in this state unless
5 possessed of the qualifications of an elector; providing, however, that nothing in
6 this section or in the constitution shall prevent the appointment of women to
7 any position in those institutions of the state where the interests of women and
8 children are involved.



FOURTH CONSTITUTIONAL
CONVENTION.

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Sub. Proposal No. 166

MR. STILWELL.

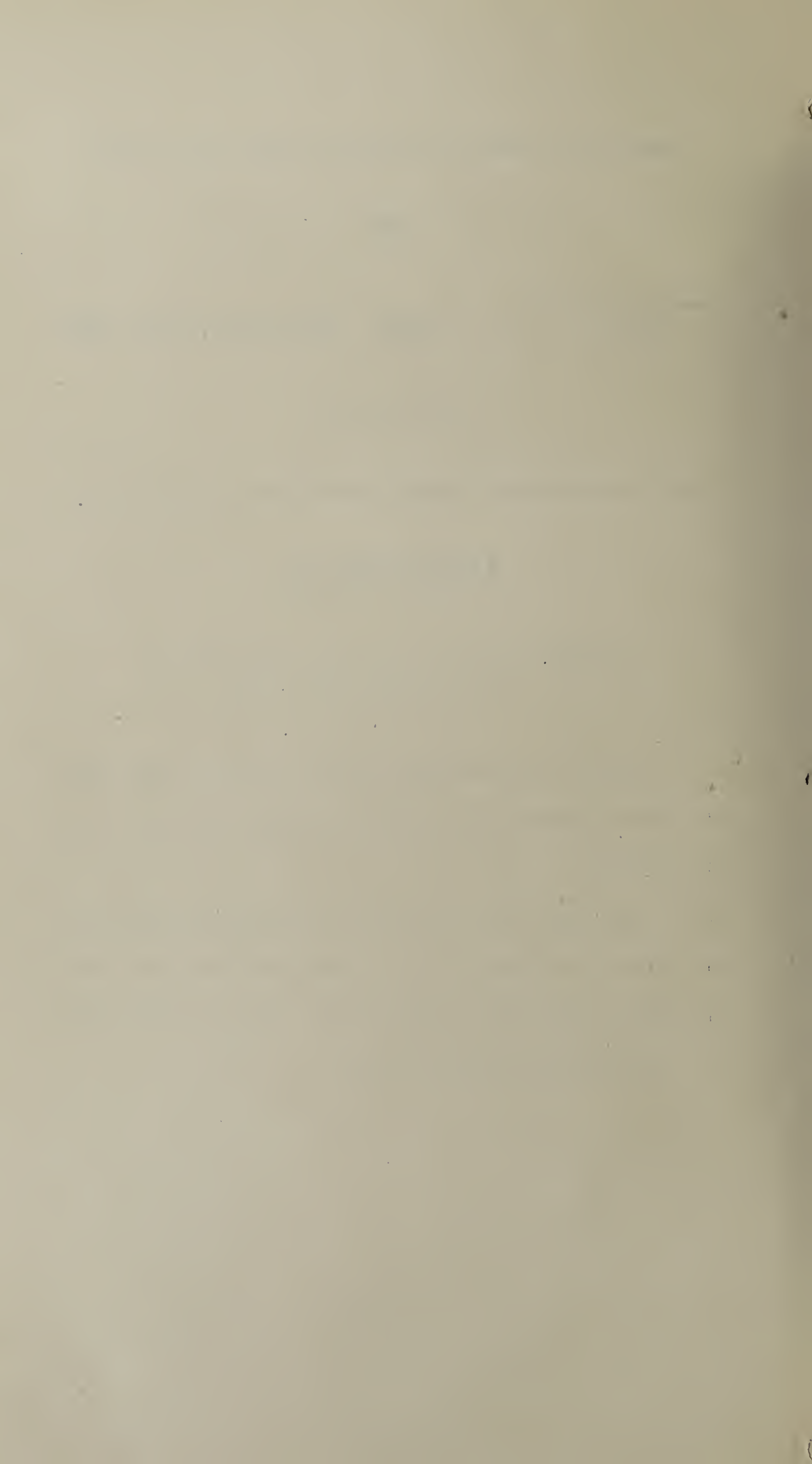
PROPOSAL

To submit an amendment to Article II, by adding Section 33
of the constitution.—Relative to liens.

Resolved, by the Constitutional Convention of the State of Ohio, That a

2 proposal to amend the constitution shall be submitted to the electors to read
3 as follows:

4 SECTION 33. Laws may be passed to secure to mechanics, artisans, laborers
5 and material men, their just dues by direct lien upon the property, upon which
6 they have bestowed labor or furnished material. No other provision of the
7 constitution shall impair or limit this power.





FOURTH CONSTITUTIONAL
CONVENTION. }

Sub. Proposal No. 169

MR. WORTHINGTON.

PROPOSAL

To submit an amendment to Article XV, of the constitution.
—Relative to the civil service.

Resolved, by the Constitutional Convention of the State of Ohio, That a

2 proposal to amend the constitution shall be submitted to the electors to read
3 as follows:

4 ARTICLE XV.

5 SECTION 10. Appointments and promotions in the civil service of the state,
6 the several counties, and cities, shall be made according to merit and fitness, to
7 be ascertained as far as practicable by competitive examinations. And it shall
8 be the duty of the General Assembly to enact laws providing for the enforce-
9 ment hereof.



FOURTH CONSTITUTIONAL
CONVENTION. }

Proposal No. 170

MR. WORTHINGTON.

PROPOSAL

To submit an amendment to Article XII, Sections 1, 2 and
6, of the Constitution, and to add thereto sections to
be known as Sections 7, 8, 9 and 10. — Relative to
taxation.

Resolved, by the Constitutional Convention of the State of Ohio, That a

2 proposal to amend the Constitution shall be submitted to the electors to read
3 as follows:

4 SECTION 1. The levying of taxes by the poll is grievous and oppressive;
5 therefore no poll tax shall ever be levied in this state, nor service required therein,
6 which may be commuted in money or other thing of value.

7 SECTION 2. Laws shall be passed, taxing by a uniform rule, all moneys,
8 credits, investments in bonds, stocks, joint stock companies, or otherwise; and
9 also all real and personal property according to its true value in money ex-
10 cepting all bonds at present outstanding of the State of Ohio or of any city,
11 village, hamlet, county, or township in this state or which have been issued in
12 behalf of the public schools in Ohio and the means of instruction in connec-
13 tion therewith, which bonds so at present outstanding shall be exempt from
14 taxation; but burying grounds, public school houses, houses used exclusively

15 for public worship, institutions of purely public charity, public property used
16 exclusively for any public purpose, and personal property, to an amount not
17 exceeding in value two hundred dollars for each individual, may by general
18 laws, be exempted from taxation; but all such laws shall be subject to altera-
19 tion or repeal; and the value of all property, so exempted, shall, from time to
20 time, be ascertained and published as may be directed by law.

21 SECTION 6. Except as otherwise provided in this constitution the state
22 shall never contract any debt for purposes of internal improvement.

23 SECTION 7. Laws may be enacted providing for the taxation of the right
24 to receive or succeed to estates, and such tax may be uniform or it may be so
25 graduated as to tax at a higher rate the right to receive or to succeed to estates
26 of larger value than to estates of smaller value.

27 Such tax may also be levied at a different or higher rate upon collateral
28 inheritances than direct inheritances and a portion of each estate not exceeding
29 twenty thousand dollars may be exempt from such tax.

30 SECTION 8. Laws may be enacted providing for the taxation of incomes,
31 which tax may be either uniform or graduated, and either general or confined
32 to such incomes as may be designated by law, but a part of each income not
33 exceeding three thousand dollars in any one year may be exempt from such tax.

34 SECTION 9. Laws may be passed providing for excise and franchise taxes
35 and for the imposition of taxes upon the production of coal, oil, gas and minerals.

36 SECTION 10. No bonded indebtedness of the state or any political subdivi-
37 sions thereof, shall be incurred or renewed, unless in the legislation, under which
38 such indebtedness is incurred or renewed, provision is made for the payment of
39 not less than two per centum of the principal together with the annual interest
40 on the same, each year, until such indebtedness is paid.



FOURTH CONSTITUTIONAL
CONVENTION. }

Proposal No. 170

MR. WORTHINGTON.

PROPOSAL

To submit an amendment to Article XII, Sections 1, 2 and 6, of the Constitution, and to add thereto sections to be known as Sections 7, 8, 9 and 10. — Relative to taxation.

Resolved, by the Constitutional Convention of the State of Ohio, That a

2 proposal to amend the Constitution shall be submitted to the electors to read
3 as follows:

4 SECTION 1. The levying of taxes by the poll is grievous and oppressive;
5 therefore no poll tax shall ever be levied in this state, nor service required therein;
6 which may be commuted in money or other thing of value.

7 SECTION 2. Laws shall be passed, taxing by a uniform rule, all moneys,
8 credits, investments in bonds, stocks, joint stock companies, or otherwise; and
9 also all real and personal property according to its true value in money ex-
10 cepting all bonds at present outstanding of the State of Ohio or of any city,
11 village, hamlet, county, or township in this state or which have been issued in
12 behalf of the public schools in Ohio and the means of instruction in connec-
13 tion therewith, which bonds so at present outstanding shall be exempt from
14 taxation; but burying grounds, public school houses, houses used exclusively

15 for public worship, institutions of purely public charity, public property used
16 exclusively for any public purpose, and personal property, to an amount not
17 exceeding in value two hundred dollars for each individual, may by general
18 laws, be exempted from taxation; but all such laws shall be subject to altera-
19 tion or repeal; and the value of all property, so exempted, shall, from time to
20 time, be ascertained and published as may be directed by law.

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35 and for the imposition of taxes upon the production of coal, oil, gas and minerals.

36 SECTION 10. No bonded indebtedness of the state or any political subdivi-
37 sions thereof, shall be incurred or renewed, unless in the legislation, under which
38 such indebtedness is incurred or renewed, provision is made for the payment of
39 not less than two per centum of the principal together with the annual interest
40 on the same, each year, until such indebtedness is paid.



FOURTH CONSTITUTIONAL
CONVENTION. }

Proposal No 174

MR. MAUCK.

PROPOSAL

Relative to bill of rights.

Be it resolved, by the Constitutional Convention of the State of Ohio, That

2 Section I of Article I of the constitution of the state of Ohio be and the same
3 is hereby revised, altered and amended so as to read as follows:

4 ARTICLE I.

5 BILL OF RIGHTS.

6 SECTION I. All men are by nature free and independent and have certain
7 inalienable rights, among which are those of enjoying and defending life and
8 liberty; acquiring, possessing and protecting property, and seeking and obtain-
9 ing happiness and safety. The General Assembly may, however, make such
10 regulations as it may deem proper for the conveyance and sale of stocks, bonds,
11 securities and other personal property.

Ordered printed, as passed on second reading.



FOURTH CONSTITUTIONAL
CONVENTION. }

Proposal No. 184

MR. PECK.

PROPOSAL

To submit an amendment to Article IV, Section 1, 2, and
6, of the constitution.—Relating to the supreme and cir-
cuit courts.—Judicial.

Resolved, by the Constitutional Convention of the State of Ohio, That a

2 proposal to amend the constitution shall be submitted to the electors to read
3 as follows:

4 SECTION 1. The judicial power of the state is vested in a supreme court,
5 courts of appeals, courts of common pleas, courts of probate, and such other
6 courts inferior to the courts of appeals as may from time to time be established
7 by law.

8 SECTION 2. The supreme court shall, until otherwise provided by law,
9 consist of six judges, and the judges now in office in that court shall continue
10 therein until the end of the terms for which they were respectively elected, unless
11 they are removed, die or resign. A majority of the supreme court shall be nec-
12 essary to constitute a quorum or pronounce a decision, except as hereinafter
13 provided. It shall have original jurisdiction in quo warranto, mandamus, habeas
14 corpus, prohibition, procedendo and appellate jurisdiction in all cases involving

15 questions arising under the constitution of the United States or of this state
16 and in cases of felony on leave first obtained, also in cases which originated in
17 the courts of appeals and such revisory jurisdiction of the proceedings of ad-
18 ministrative officers as may be conferred by law. It shall hold at least one
19 term in each year at the seat of government, and such other terms, there or
20 elsewhere, as may be provided by law. The judges of the supreme court shall
21 be elected by the electors of the state at large for such terms, not less than six
22 years, and they shall be elected, and their official term shall begin, at such time
23 as may now or hereafter be fixed by law.

24 Whenever the judges of the supreme court shall be equally divided in
25 opinion as to the merits of any case before them and are unable for that reason
26 to agree upon a judgment that fact shall be entered upon the record and such
27 entry shall be held to constitute an affirmance of the judgment of the court below.
28 No law shall be held unconstitutional and void by the supreme court without
29 the concurrence of all but one of the judges, except in the affirmance of a judg-
30 ment of the court of appeals declaring a law unconstitutional and void.

31 In cases of public or great general interest the supreme court may, within
32 such limitation of time as may be prescribed by law, direct the court of appeals
33 to certify its record to the supreme court and may review and affirm, modify
34 or reverse the judgment of the court of appeals.

35 SECTION 6. The state shall be divided into appellate districts of compact
36 territory and divided by county lines, in each of which there shall be a court
37 of appeals consisting of three judges and until altered by statute the circuits
38 in which circuit courts are now held shall constitute the appellate districts afore-
39 said. The judges of the circuit courts now residing in their respective districts
40 shall continue to be judges of the respective courts of appeals in such districts and

41 perform the duties thereof until the expiration of their respective terms of office.
42 Vacancies caused by the expirations of the terms of office of the judges of the
43 courts of appeals shall be filled by the electors of the appellate districts respec-
44 tively in which such vacancies shall arise and the same number shall be elected in
45 each district. Laws may be enacted to prescribe the time and mode of such elec-
46 tion and to alter the number of districts or the boundaries thereof, but no such
47 change shall abridge the term of any judge then in office. The court of appeals
48 shall hold at least one term annually in each county and such other terms at a
49 county seat in the district, as the judges may determine upon, and the county
50 Commissioners of any county in which the court of appeals shall hold sessions
51 shall make proper and convenient provisions for the holding of such courts by
52 its judges and officers. Each judge shall be competent to exercise his judicial
53 powers in any district of the state.

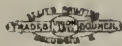
54 The respective courts of appeals shall continue the work of the circuit
55 court and all pending cases and proceedings in the circuit courts shall pro-
56 ceed to judgment and be determined by the courts of appeals, subject to the
57 provisions hereof, and the existence of the circuit court shall be merged into
58 and its work continued by the courts of appeals.

59 The Courts of Appeals shall have original jurisdiction in quo warranto,
60 mandamus, habeas corpus, prohibition and procedendo and appellate jurisdiction
61 to review, affirm, modify, or reverse the judgments of the courts of common pleas
62 and superior courts and other courts of record within the district as may be pro-
63 vided by law, and judgments of said courts of appeal shall be final in all cases,
64 except such as involve questions arising under the constitution of this state,
65 or the United States, or cases of felony, or cases of which it has original juris-
66 diction, or cases of public or great general interest in which the supreme court

67 may direct the court of appeals to certify its record to that court. No judg-
68 ment of a court of common pleas, a superior court or other court of record
69 shall be reversed except by the concurrence of all the judges of the court of appeals
70 on the weight of the evidence and by a majority of such court of appeals upon
71 other questions and whenever the judges of a court of appeals find that a judg-
72 ment upon which they have agreed is in conflict with a judgment pronounced upon
73 the same question by any court of appeals of the state, the judges shall certify the
74 record of the case to the supreme court for review and final determination.

75 The decisions in all cases in the supreme court and courts of appeals shall
76 be reported, together with the reasons therefor.

ORDERED PRINTED.



FOURTH CONSTITUTIONAL
CONVENTION. }

Sub. Proposal No. 209

MR. TETLOW.

PROPOSAL

To submit an amendment to Article VIII, of the constitution.—Relative to protection and welfare of persons employed at public work.

Resolved, by the Constitutional Convention of the State of Ohio, That a

2 proposal to amend the Constitution shall be submitted to the electors to read

3 as follows:

4 Not to exceed eight hours shall constitute a day's work and not to exceed

5 forty-eight hours a week's work, on the construction, replacement, alteration,

6 repair, maintenance and operation of all public works, buildings, plants, ma-

7 chinery at which laborers, workmen and mechanics are employed, carried on

8 or aided by the state or any political sub-division thereof, whether done by

9 contract or otherwise, except in cases of extraordinary emergency.



FOURTH CONSTITUTIONAL
CONVENTION. }

Proposal No. 212

MR. JOHNSON, of Williams.

PROPOSAL

To submit an amendment to Article II, Section 16, of
the constitution. Relative to amending veto power
of the governor.

Resolved, by the Constitutional Convention of the State of Ohio, That a
2 proposal to amend the constitution shall be submitted to the electors to read
3 as follows:

4 SECTION 16. Every bill shall be fully and distinctly read three different
5 days, unless in case of urgency three-fourths of the house in which it shall
6 be pending, shall dispense with the rules. No bill shall contain more than
7 one subject, which shall be clearly expressed in its title, and no law shall be
8 revived, or amended unless the new act contains the entire act revived, or the
9 section or sections amended, and the section or sections so amended shall be
10 repealed.

11 (a) Every bill passed by the General Assembly shall before it can be-
12 come a law, be presented to the governor for his approval. If he approve it,
13 he shall sign it. If he does not approve it, he shall send it with his objections in
14 writing, to the house in which it originated, which may then reconsider the

15 vote on its passage. If three-fifths of the members elected to that house
16 then agree to repass the bill, it shall be sent, with the objections of the governor
17 to the other house which may also reconsider the vote on its passage. If three-
18 fifths of the members elected to that house then agree to repass it, it shall become
19 a law notwithstanding the objections of the governor. If a bill shall not be
20 returned by the governor within ten days, Sundays excepted, after being pre-
21 sented to him, it shall become a law, unless the General Assembly by adjourn-
22 ment prevents its return; in which case, it shall become a law unless, within
23 ten days after such adjournment it shall be filed by him, with his objections,
24 in the office of the secretary of state. The governor may disapprove any
25 item or items in any bill making an appropriation of money and the item or
26 items, so disapproved, shall be stricken therefrom, unless repassed in the man-
27 ner herein prescribed for the repassage of the bill.



FOURTH CONSTITUTIONAL
CONVENTION. }

Proposal No. 236

MR. WORTHINGTON.

PROPOSAL

To submit an amendment to Article II, Section 8, of the constitution.—Relative to investigations by general assembly.

Resolved, by the Constitutional Convention of the State of Ohio, That a

2 proposal to amend Section 8 of Article II of the constitution shall be submit-
3 ted to the electors, to read as follows:

4 ARTICLE II.

5 SECTION 8. Each house, except as otherwise provided in this constitution,
6 shall choose its own officers, may determine its own rules of proceeding, punish
7 its members for disorderly conduct; and, with the concurrence of two-thirds,
8 expel a member, but not the second time for the same cause; and shall have all
9 other powers, necessary to provide for its safety, and the undisturbed transac-
10 tion of its business, *and to obtain, through committees or otherwise, information*
11 *affecting legislative action under consideration or in contemplation, and to that*
12 *end to enforce the attendance and testimony of witnesses, and the production*
13 *of books and papers.*



FOURTH CONSTITUTIONAL
CONVENTION.

} Sub. Proposal No. 240

MR. ANDERSON.

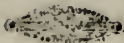
PROPOSAL

To submit an amendment to Article I, of the constitution.—
In relation to damages for wrongful death.

Resolved, by the Constitutional Convention of the State of Ohio, That a

2 proposal to amend the Constitution shall be submitted to the electors to read
3 as follows:

4 No limitations shall ever be imposed by statute on the amount of damages
5 recoverable by civil action in the courts of this state for an injury, resulting in
6 death caused by the wrongful act, neglect or default of another.



Bill, Proposal No. 240

HOUSE OF COMMONS
CONSTITUTIONAL

MR. LINDSAY

PROPOSAL

To amend the Constitution of the State of Ohio, in relation to damages for wrongful death.

Resolved, by the Constitutional Convention of the State of Ohio, That a

1. proposal to amend the Constitution shall be submitted to the electors to read
2. as follows:
3. No limitation shall ever be imposed by statute on the amount of damages
4. recoverable by civil action in the courts of this state for an injury, resulting in
5. death caused by the wrongful act, neglect or default of another.



FOURTH CONSTITUTIONAL
CONVENTION.

}

Sub. Proposal No. 241

MR. DWYER.

PROPOSAL

To submit an amendment to Article II, of the constitution.—

Relating to impeachment of officials.

Resolved by the Constitutional Convention of the State of Ohio, That a

2 proposal to amend the Constitution shall be submitted to the electors to read

3 as follows:

4 SECTION 24a. Laws shall be passed providing for the prompt removal

5 from office, upon complaint and hearing, of all officers, including state officers,

6 judges and members of the General Assembly, for any misconduct involving

7 moral turpitude or for other cause provided by law; and this method of removal

8 shall be in addition to impeachment or other method of removal provided.



FOURTH CONSTITUTIONAL
CONVENTION. }

Am. Proposal No. 242

MR. ROEHM.

PROPOSAL

To submit an amendment to Article V, Section 2, of the constitution.—Relative to elective franchise.

Resolved, by the Constitutional Convention of the State of Ohio, That a

2 proposal to amend the Constitution shall be submitted to the electors to read
3 as follows:

4 All elections shall be either by ballot or mechanical device or both preserv-
5 ing the secrecy of the ballot. The General Assembly may regulate the prepara-
6 tion of the ballot and determine the application of such mechanical device.



FOURTH CONSTITUTIONAL }
CONVENTION.

Proposal No. 249

MR TANNEHILL.

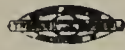
PROPOSAL

To submit an amendment to Article V, Section 1, of the
constitution.—Relative to primary elections.

Resolved, by the Constitutional Convention of the State of Ohio, That a

2 proposal to amend the constitution shall be submitted to the electors to read as
3 follows:

4 All candidates for elective state, district, municipal and county offices shall
5 be nominated at primary elections to be provided for by proper legislation, but
6 primaries shall not be held for the nomination of township officers, or for the
7 officers of municipalities of less than two thousand population.



FOURTH CONSTITUTIONAL
CONVENTION.

}

Am. Proposal No. 252

MR. WEYBRECHT.

PROPOSAL

To submit an amendment to Article I, Section 16, of the constitution. — Providing for redress of claims against the state.

Resolved, by the Constitutional Convention of the State of Ohio, That a
2 *proposal to amend the constitution shall be submitted to the electors to read*
3 *as follows:*
4 *Suits may be brought against the state, in such courts, and in such manner,*
5 *as may be directed by law.*

ORDERED PRINTED, AS PASSED ON SECOND READING.



FOURTH CONSTITUTIONAL
CONVENTION. }

Am. Proposal No. 261

MR. HALENKAMP.

PROPOSAL

To submit an amendment to Article XV, Section 11 of the
constitution. — Relative to state printing.

Resolved, by the Constitutional Convention of the State of Ohio, That a

2 proposal to amend the Constitution shall be submitted to the electors to read
3 as follows:

4 *The purchase of stationery and supplies and the printing of the laws, jour-*
5 *nals, bills, legislative documents and papers for each branch of the General As-*
6 *sembly, with the printing and supplies required for the executive and other de-*
7 *partments of state, shall be let, on contract, to the lowest responsible bidder, or*
8 *may be done direct by the state, in such manner as shall be prescribed by law.*





FOURTH CONSTITUTIONAL
CONVENTION. }

Proposal No. 272

MR. FITZSIMONS.

PROPOSAL

To submit an amendment to the constitution.—Relative to the
government of municipalities.

Resolved, by the Constitutional Convention of the State of Ohio, That a
2 proposal to amend the constitution shall be submitted to the electors to read
3 as follows:

4 ARTICLE XVIII.

5 MUNICIPAL CORPORATIONS.

6 SECTION 1. Municipal corporations are hereby classified into cities and vil-
7 lages. All such corporations having a population of 5,000 or over shall be cities;
8 all others shall be villages. The method of transition from one class to the other
9 shall be regulated by law.

10 SECTION 2. The general assembly shall, by general laws, provide for the
11 incorporation and government of cities and villages; and it may also enact addi-
12 tional laws for the government of municipalities adopting the same; but no
13 such additional law shall become operative in any municipality until it shall

14 have been submitted to the electors thereof, and affirmed by a majority of those
15 voting thereon, under regulations to be established by law.

16 SECTION 3. Municipalities shall have authority to exercise all powers of
17 local self-government and to enact and enforce within their limits such local
18 police, sanitary and other similar regulations, as are not in conflict with general
19 laws.

20 SECTION 4. Any municipality may acquire, construct, own, lease and operate
21 within or without its corporate limits, any public utility the product or service
22 of which is supplied to the municipality or its inhabitants, and may contract with
23 others for any such product or service. The acquisition of any such public
24 utility may be by condemnation or otherwise, and a municipality may acquire
25 thereby the use of or full title to the property and franchise of any company or
26 person supplying to the municipality or its inhabitants the service or product of
27 any such utility.

28 SECTION 5. Any municipality proceeding to acquire, construct, own, lease
29 or operate a public utility or to contract with any person or company therefor
30 shall act by ordinance and no such ordinance shall take effect until after thirty
31 days from its passage. If within said thirty days a petition signed by ten per
32 centum of the electors of the municipality shall be filed with the executive au-
33 thority thereof demanding a referendum on such ordinance it shall not take effect
34 until submitted to the electors and approved by a majority of those voting thereon.
35 The submission of any such question shall be governed by all the provisions of
36 Section 8 of this article as to the submission of the question of choosing a char-
37 ter commission.

38 SECTION 6. Any municipality, owning or operating a public utility for the
39 purpose of supplying the service or product thereof to the municipality or its

inhabitants, may also sell and deliver to others any transportation service of such utility and the surplus product of any other utility in an amount not exceeding in either case fifty per centum of the total service or product supplied by such utility within the municipality.

SECTION 7. Any city or village may frame and adopt or amend a charter for its government and may, subject to the provisions of section 3 of this article, exercise thereunder all powers of local self-government.

SECTION 8. The legislative authority of any city or village may by a two-thirds vote of its members, and upon petition of ten per centum of the electors shall forthwith, provide by ordinance for the submission to the electors of the question "Shall a commission be chosen to frame a charter." The ordinance providing for the submission of such question shall require that it be submitted to the electors at the next regular municipal election if one shall occur not less than sixty nor more than one hundred and twenty days after its passage; otherwise it shall provide for the submission of the question at a special election to be called and held within the time aforesaid. The ballot containing such question shall bear no party designation and provisions shall be made thereon for the election from the municipality at large of fifteen electors thereof who shall constitute a commission to frame a charter; provided that a majority of the electors voting on such question shall have voted in the affirmative. Any charter so framed shall be submitted to the electors of the municipality at an election to be held at a time fixed by the charter commission and within one year from the date of its election, provisions for which shall be made by the legislative authority of the municipality in so far as not prescribed by general law. Not less than thirty days prior to such election the clerk of the municipality shall mail a copy of the proposed charter to each elector whose name appears upon the

66 poll or registration books of the last regular or general election held therein.
67 If such proposed charter is approved by a majority of the electors voting thereon
68 it shall become the charter of such municipality at the time fixed therein.

69 SECTION 9. Amendments to any charter framed and adopted as herein
70 provided may be submitted to the electors of a municipality by a two-thirds vote
71 of the legislative authority thereof, and shall be submitted by such legislative au-
72 thority when a petition setting forth any such proposed amendment and signed
73 by ten per centum of the electors of the municipality is filed therewith. The
74 submission of proposed amendments to the electors shall be governed by the
75 requirements of Section 8 as to the submission of the question of choosing a
76 charter commission; and copies of proposed amendments shall be mailed to the
77 electors as hereinbefore provided for copies of a proposed charter. If any
78 amendment so submitted is approved by a majority of the electors voting there-
79 on, it shall become a part of the charter of the municipality. A copy of said
80 charter or any amendment thereto, within thirty days after adoption by a refer-
81 endum vote, shall be certified to the secretary of state.

82 SECTION 10. A municipality appropriating or otherwise acquiring property
83 for public use may in furtherance of such public use appropriate or acquire an
84 excess over that actually to be occupied by the improvement and may sell such
85 excess with such restrictions as shall be appropriate to preserve the improvement
86 made. Bonds may be issued to supply the funds in whole or in part to pay for
87 the excess property so appropriated or otherwise acquired but said bonds shall
88 be a lien only against the property so acquired for the improvement and excess,
89 and they shall not be a liability of the municipality nor be included in any
90 limitation of the bonded indebtedness of such municipality prescribed by law.

91 SECTION 10-a. Any municipality appropriating private property for a pub-

92 lic improvement may provide money therefore in part by assessments upon bene-
93 fited property not in excess of the special benefits conferred upon such property
94 by the improvements. Said assessments, however, upon all the abutting, ad-
95 jacent, and other property in the district benefited, shall in no case be levied
96 for more than fifty per centum of the cost of such appropriation.

97 SECTION 11. Any municipality which acquires, constructs or extends any
98 public utility and desires to raise money for such purposes may issue mortgage
99 bonds therefor beyond the general limit of bonded indebtedness prescribed by
100 law; provided, that such mortgage bonds issued beyond the general limit of
101 bonded indebtedness prescribed by law shall not impose any liability upon such
102 municipality but shall be secured only upon the property and revenues of such
103 public utility, including a franchise stating the terms upon which, in case of
104 foreclosure, the purchaser may operate the same, which franchise shall in no
105 case extend for a longer period than twenty years from the date of the sale
106 of such utility and franchise on foreclosure.

107 SECTION 12. The general assembly shall have authority to limit the power
108 of municipalities to levy taxes and incur debts for local purposes and may require
109 reports from municipalities as to their financial condition and transactions, in
110 such form as may be provided by law, and may provide for the examination of
111 the vouchers, books and accounts of all municipal authorities, or of public under-
112 takings conducted by such authorities.

113 SECTION 13. All elections and submissions of questions provided for in
114 this article shall be conducted by the election authorities prescribed by general
115 law. The percentage of electors signing any petition provided for herein shall
116 be based upon the total vote cast at the last preceding general municipal election.



FOURTH CONSTITUTIONAL
CONVENTION. }

Am. Proposal No. 304

MR. HALFHILL.

PROPOSAL

To submit an amendment to the constitution. — Relative to amending Sections 1, 3, 12, and 15, of Article IV, so that each county will elect at least one judge of the court of common pleas.

Resolved, by the Constitutional Convention by the State of Ohio, That a

2 proposal to amend the constitution shall be submitted to the electors to read
3 as follows:

4 SECTION 1. That Section 3, Article IV, be amended to read as follows:

5 One resident judge of the court of common pleas, and such additional resi-
6 dent judge of judges as may be provided by law, shall be elected in each county
7 of the state by the electors of such county; and as many courts or sessions of
8 the court of common pleas as are necessary, may be held at the same time in
9 any county.

10 Any judge of such a court of common pleas may temporarily preside and
11 hold court in any county; and until the general assembly shall make adequate
12 provision therefor, the chief justice of the supreme court of the state shall pass

13 upon the disqualification or disability of any judge of the court of common pleas
14 and assign some other judge for such place, or assign any such judge to another
15 county to hold court therein.

16 SECTION 2. *That Section 7 of Article IV be amended to read as follows:*

17 *There shall be established in each county, a probate court, which shall be a court*
18 *of record, open at all times, and holden by one judge, elected by the voters of*
19 *the county, who shall hold his office for the term of four years, and shall receive*
20 *such compensation, payable out of the county treasury, as shall be provided by*
21 *law. But the general assembly may provide by law to submit to the electors of*
22 *any county the question of combining the court of common pleas and probate*
23 *court in such county and provide that such courts shall be combined in any county*
24 *where a majority of the electors at such election shall so vote. And provision*
25 *may also be made for similar submission to the electors of the question of the*
26 *separation of such courts in each county where the same may have been combined*
27 *and for such separation when a majority of such electors shall so vote.*

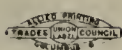
28 SECTION 3. *That Section 12, of Article IV, be amended to read as follows:*

29 *The judges of the courts of common pleas shall, while in office reside in*
30 *the county for which they are elected; and their term of office shall be for six*
31 *(6) years.*

32 SECTION 4. *That Section 15, of Article IV, be amended to read as follows:*

33 *The general assembly may increase or diminish the number of judges of the*
34 *supreme court, may increase beyond one or diminish to one the number of judges*
35 *of the court of common pleas in any county, or may establish other courts, when-*
36 *ever two-thirds of the members elected to each house shall concur therein; but*
37 *no such change, addition or diminution shall vacate the office of any judge; and*
38 *any existing court heretofore created by the general assembly shall continue its*

39 *existence until otherwise provided by law. The judges of the courts of common*
40 *pleas in office, or elected thereto prior to January first, 1913, shall continue to*
41 *hold their offices for the term for which they were elected.*



FOURTH CONSTITUTIONAL
CONVENTION. }

Am. Proposal No. 309

MR. TAGGART.

PROPOSAL

To submit an amendment to Article XVI, Sections 1, 2
and 3, of the constitution. — Relative to amendments
to the constitution.

Resolved, by the Constitutional Convention of the State of Ohio, That a

2 proposal to amend the Constitution shall be submitted to the electors to read
3 as follows:

4 SECTION 1. Either branch of the general assembly may propose amend-
5 ments to this constitution; and if the same shall be agreed to by three-fifths
6 of the members elected to each house, such proposed amendments shall be
7 entered on the journals, with the yeas and nays, and shall be published in at least
8 one newspaper in each county of the state, where a newspaper is published,
9 once a week for eight consecutive weeks preceding the * * * election
10 * * * at which time the same shall be submitted to the electors at either a
11 special or general election as the general assembly may prescribe, for their
12 approval or rejection, on a separate ballot without party designation of any kind;
13 and if the majority of the electors voting on the same shall adopt such amend-
14 ments the same shall become a part of the constitution. When more than one

15 amendment shall be submitted at the same time, they shall be so submitted as
16 to enable the electors to vote on each amendment, separately.

17 SECTION 2. Whenever two-thirds of the members elected to each branch of
18 the general assembly, shall think it necessary to call a convention, to revise,
19 amend, or change this constitution, they shall recommend to the electors to
20 *vote on a separate ballot without party designation of any kind* at the next
21 election for members *to* the general assembly, or (against) the convention;
22 and if a majority of all the electors, voting *for and against the calling of a*
23 *convention*, shall have voted for a convention, the general assembly shall, at their
24 next session, provide, by law, for calling the same. *Candidates for members of*
25 *the constitutional convention shall be nominated by nominating petitions only and*
26 *shall be voted for upon one independent and separate ballot without any emblem*
27 *or party designation whatever.* The convention shall consist of as many mem-
28 bers as the house of representatives, who shall be chosen *as provided by law*, and
29 shall meet within three months after their election, for the purpose, aforesaid.

30 SECTION 3. At the general election, to be held in the year one thousand *nine*
31 *hundred and thirty-two*, and in each twentieth year thereafter, the question:
32 "Shall there be a convention to revise, alter, or amend the constitution" shall be
33 submitted to the electors of the state; and in case a majority of the electors voting
34 *for and against the calling of a convention* shall decide in favor of a convention,
35 the general assembly, at its next session, shall provide, by law, for the election
36 of delegates and the assembling of such convention as is provided in the pre-
37 ceding section; but no amendment of this constitution, agreed upon by any con-
38 vention assembled in pursuance of this article, shall take effect until the same
39 shall have been submitted to the electors of the state and adopted by a majority
40 of those voting thereon.



FOURTH CONSTITUTIONAL }
CONVENTION. }

Proposal No. 322

MR. BOWDLE.

PROPOSAL

To submit an amendment to Article II, of the constitution.—Relative to the use of expert medical witnesses and testimony in criminal trials.

Resolved, by the Constitutional Convention of the State of Ohio, That a

2 proposal to amend the constitution shall be submitted to the electors to read
3 as follows:

4 The legislature shall have power to provide by law for the regulation of
5 the use of expert medical witnesses and testimony in criminal trials and pro-
6 ceedings.

7 *Resolved*, further that said amendment if adopted shall become Section
8 33 of Article II, of the constitution.



FOURTH CONSTITUTIONAL }
CONVENTION.

Proposal No. 329

MR. KNIGHT.

PROPOSAL

To submit an amendment to Article VI, Section 3, of the constitution.—Relative to organization of the boards of education in school districts.

Resolved, by the Constitutional Convention of the State of Ohio, That a

2 proposal to amend the constitution shall be submitted to the electors to read
3 as follows:

4 SECTION 3. The General Assembly shall by law provide for the organiza-
5 tion, administration and control of the public school and educational system of
6 the state: provided, that each school district shall have the power by referendum
7 vote to determine for itself the number of members and the organization of the
8 district board of education, and the General Assembly shall make provision
9 for the exercise of this power by the school districts.



FOURTH CONSTITUTIONAL
CONVENTION. }

Proposal No. 331

MR. WALKER.

PROPOSAL

To submit an amendment to Article VIII, Sections 12
and 13, of the constitution.—Relating to the board
public works.

Resolved, by the constitutional convention of the state of Ohio, That a pro-

2 posai to amend the constitution shall be submitted to the electors to read as
3 follows:

4 ARTICLE VIII, SECTIONS 12 AND 13.

5 Strike out Sections 12 and 13 of Article VIII, and in lieu thereof insert the
6 following:

7 So long as this state shall have public works which requires superintendence,
8 there shall be a superintendent of public works appointed by the governor for
9 one year whose duties and powers shall be defined by law.



FOURTH CONSTITUTIONAL
CONVENTION.

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Proposal No. 333

MR. PECK.

PROPOSAL

To submit an amendment to Article XV, Section 10, of the constitution.—Relative to the use of property for display advertising.

Resolved, by the Constitutional Convention of the State of Ohio, That a

2 proposal to amend the Constitution shall be submitted to the electors to read
3 as follows:

4 Laws may be adopted regulating and limiting the use of property on or
5 near public ways and grounds for the public display of posters, bill boards, pic-
6 tures and other forms of advertising.

